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THE NEW REPUBLIC

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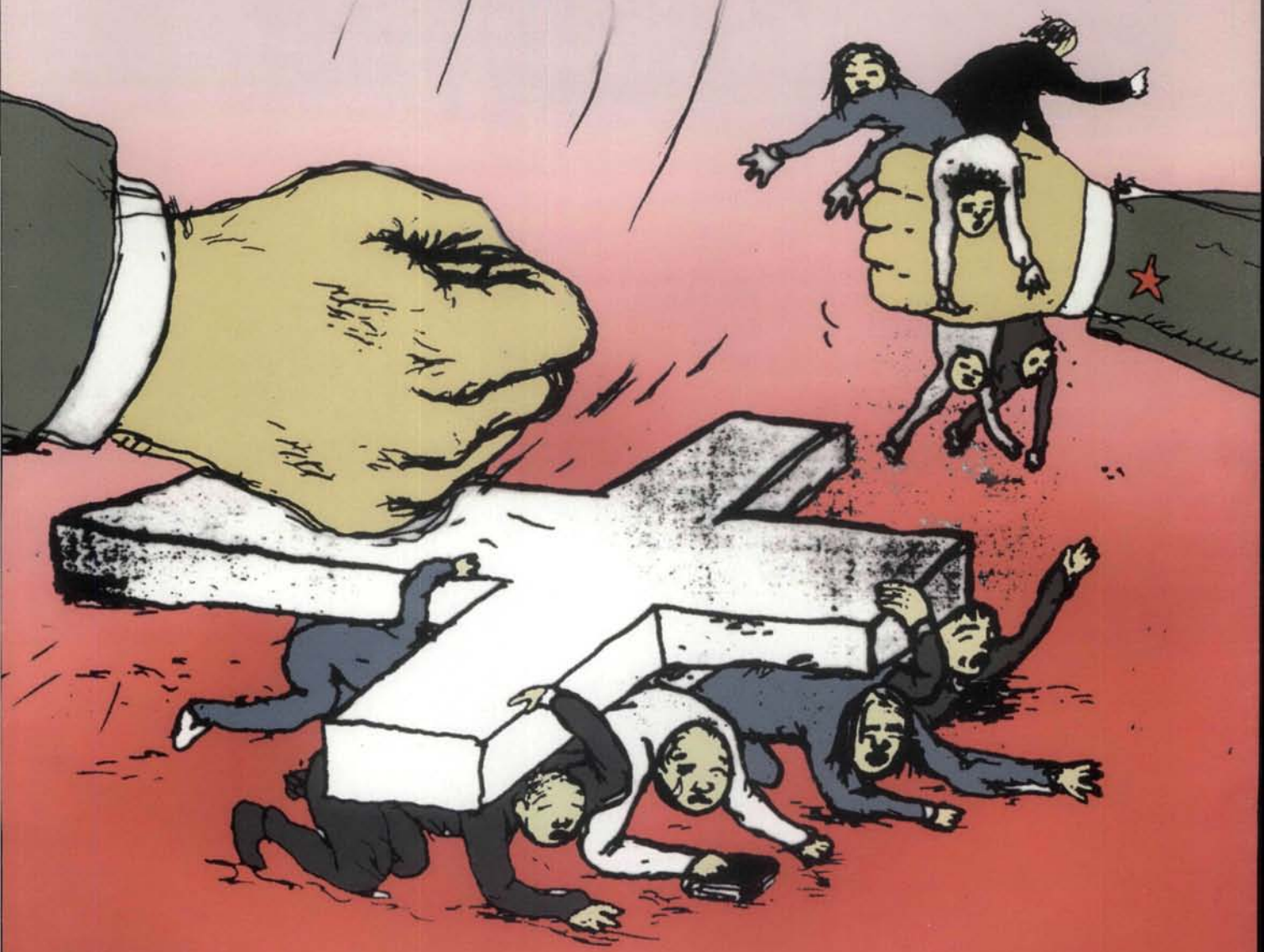

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THE NEW REPUBLIC

A Weekly Journal of Opinion

JULY 7, 1997

FOUNDED 1914
WASHINGTON, D.C.
ISSUE 4,303

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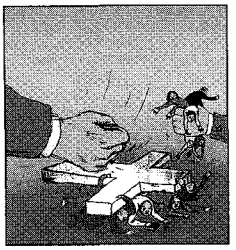

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THE NEW REPUBLIC, Vol. 217, Number 1, Issue 4,303, July 7, 1997. (Printed in the U.S. on June 18, 1997.) Published weekly (except for combined issues dated Jan. 6 & 13, July 14 & 21, Aug. 11 & 18, and Sept. 8 & 15, 1997) at 1220 19th Street, NW, Washington, DC 20036. Telephone (202) 331-7494. The New Republic Advertising Sales Office (212) 702-4882. Yearly subscriptions, $69.97; foreign, $99.97; Canada, $84.97. Back issues, $3.50 (includes postage & handling).

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(ISSN 0028-6583). Periodicals postage paid at Washington, DC, and additional mailing offices. Indexed in Readers' Guide, Media Review Digest. Microform, Canadian Periodical Index, CD-ROM, issue and article copies are available through University Microfilms Intnl., 300 N. Zeeb Road, Ann Arbor, MI 48106. Telephone 1-800-521-0600. Internet mail address: tnr@aol.com Member, Audit Bureau of Circulations. Unsolicited manuscripts can be returned only if accompanied by a stamped, self-addressed envelope. Subscribers: Please send all remittances, changes of address, and subscription inquiries to Subscription Service Dept., The New Republic, P.O. Box 37298, Boone, IA 50037-0298. For subscription problems call 1-800-827-1289.

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CORRESPONDENCE

Children of a lesser God

To the editors:

Leon R. Kass's central argument against the morality of cloning ("The Wisdom of Repugnance," June 2) is, at bottom, fairly straightforward and, as it stands, inadequate. In a nutshell, Kass's argument is that procreation by sexual means yields a child who stands in certain kinship relations to other humans: s/he has a mother and a father, aunts and uncles, brothers and sisters, and the like. And due to traditional social conventions, people who stand in some of these relations to the child—in particular, mothers and fathers—have certain rights and obligations pertaining to her or him. But children born of cloning do not stand in these kinship relations to other humans, and, as a result, no one has any specific obligation to care for them. The upshot is more of the troubling effects of "the prominence and acceptability of divorce and out-of-wedlock births" and the fact that "monogamous marriage as the ideal home for procreation is no longer the agreed upon cultural norm."

The trouble with Kass's argument is that cloned children do stand in kinship relations to other human beings, just different relations from those in which the children of sexual procreation stand. And there seems to be no reason to suppose that, were cloning to become common, new social conventions obligating certain clone-kin to care for clones could not be established. Mere appeal to the "profundity of sex" or any purported connection between sex and mortality will not do here. Kass might try arguing that such obligations require an emotional bond between the child and its obligated kin, which cannot hold between a clone and the person cloned. But that would require establishing an empirical psychological/sociological claim of a highly contentious nature.

I do not mean to defend cloning. I only mean to point out that Kass's argument does not give us good reason to oppose cloning. A good argument should.

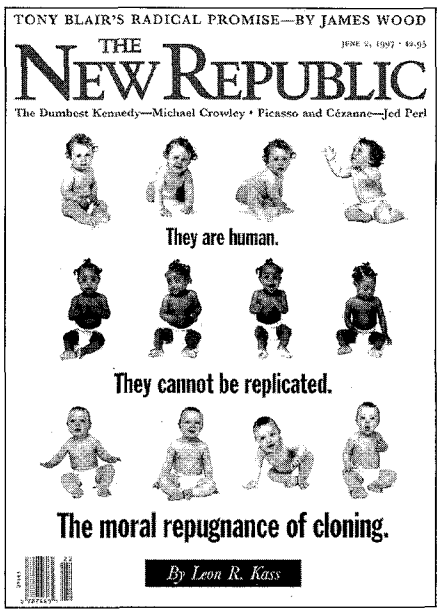
PETER ALWARD
Chapel Hill, North Carolina

To the editors:

How many people in the world can write like Leon R. Kass? How many can sustain a coherent thread of reasoning, much less a scholarly one, for ten dense pages?

Kass belongs to an elite group of meritocrats, who are able to sit down and concentrate, marshal arguments and defer gratification until their thought-labor reaches fruition. Not everyone agrees intelligence has a genetic component (although most honest observers do), but how controversial is it that temperamental thresholds and general motivational structures are largely innate, and that these dictate one's place in society? Observe children, and you will see a distribution of responses to the same provocation.

Given this fact, how can Kass advocate a state-enforced lottery for the allocation of genetic traits, especially when we know certain traits lead to greater success in the modern world? The only reason I can think of is that Kass wants his (and my) group to remain small. If qualified information workers are rare, we can demand higher salaries, greater influence


TONY BLAIR'S RADICAL PROMISE—BY JAMES WOOD
THE NEW REPUBLIC
The Dumbest Kennedy—Michael Crowley • Picasso and Cézanne—Jed Perl
They are human.
They cannot be replicated.
The moral repugnance of cloning.
By Leon R. Kass

and plenty of perks.

I'm not a fan of cloning per se. I'd rather have parents select among their possible natural offspring using genetic tests, not duplicate existing beings or alienate their children by inserting foreign genes. But I see the slippery slope we're on. If the government is allowed to suppress research and forbid couples from applying the latest reproductive techniques, back-alley genetic selection will become the wave of the future. If regulations must be drafted, let them say this: existing life must be honored above all potential life, and no couple (or individual) may utilize genes other than their own.

ROBERT VERMEULEN
Redwood City, California

Jeremiad

To the editors:

The first paragraph of Alan Wolfe's "The Jeremiah Racket" (June 2) ends with the statement that his good-hearted children don't "understand why their teachers would be vengeful toward them because they were going to go much further in the world than their teachers had." Wolfe reveals an attitude that weighs heavily among the woes of American education. As long as educated parents believe that teaching is a second-rate profession, intelligent students will choose other careers and our schools will remain second-rate.

THEODORE WEAVER
Paris, France

The rising son

To the editors:

Michael Crowley's "The Setting Son" (June 2), an attack on Congressman Joe Kennedy, now a candidate for governor of Massachusetts, is featured on TNR's cover as "The Dumbest Kennedy." The only evidence for Kennedy's dumbness Crowley cites is that the Vatican granted an annulment of his marriage, because his "lack of due discretion" meant it had never been properly consecrated.

Crowley interprets this as meaning that Kennedy was, in the view of the Church, too dumb to get married properly and so is presumably too dumb to be governor of Massachusetts. However, Crowley informs us: "The widest annulment loophole, used as grounds for about three quarters of annulment requests—including Kennedy's—is 'lack of due discretion.'" It is obviously a standard formula allowing the Church to grant, in effect, back-door divorces.

The phrase "lack of due discretion" was clearly not a judgment of the Catholic Church on Kennedy's intelligence. I don't know if he is the "dumbest Kennedy," but this is certainly the dumbest article I have ever read in TNR.

MELVIN SHEFFTZ
Binghamton, New York

To the editors:

While I carry no brief for Joe Kennedy or his family, analysis of a politician ought to rest on his own activities and not on allegations of the tendencies of his clan. Call this guilt by association. Worse, Michael Crowley wishes to tar Kennedy with contradictory conclusions. Proposition 1: annulment as practiced in the Catholic Church today is a sham, using "lack of due discretion" as "the widest annulment loophole." Ergo, Joe Kennedy is a cad for participating in this sham. Proposition 2: the finding of a "lack of due discretion" is an indication of Kennedy's lack of intelligence. If the finding of lack of due discretion is a sham, what bearing does it have on his IQ? If it is true, wasn't the annulment in order? More likely, "poor Joe Kennedy" got it right when he

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said, "I just feel that this seeking of an annulment is effectively asking for a Catholic divorce."

RABBI AVRAM ISRAEL REISNER
New Milford, New Jersey

Empirical evidence

To the editors:

Anthony Pagden's assertion in "Misrule Britannia" (May 26) that "the damage done by the British Empire to the worlds over which it ruled is literally immeasurable" is literally ridiculous. Canada, New Zealand and Australia share in common a commitment to democracy, freedom of speech, an enviable quality of life and thriving free market economies. What they also share in common is the fact that they were part of the British Empire. So was, for that matter, the United States.

ROBERT W. PICKARD
Stamford, Connecticut

Presumed guilty

To the editors:

Thank you for Ruth Shalit's outstanding article about Jeffrey MacDonald's case, and our book, *Fatal Justice: Reinvestigating the MacDonald Murders* ("Fatal Revision," May 26).

Shalit is to be commended for taking the time to explore the voluminous exculpatory evidence in the documents held back by the government at trial. Thanks for making it clear that MacDonald's incessant claims of innocence now are corroborated by trace evidence taken from the bodies of his wife and children. A bloody palm print was not MacDonald's. A hair found clutched in his wife's dead hand and hairs found under his children's fingernails were known not to be his hair, and were purposely suppressed. The key evidence brought against him at trial, apparently, was also doctored in the lab and misrepresented at trial by a prosecution protected by a judge who had refused to give the defense documents that, we now know, would have gone far to prove MacDonald's innocence.

MacDonald's current petition to reopen his 1990 bid for a new trial based upon suppressed evidence of his innocence is not an attempt to take advantage of some technical loophole, but is founded firmly upon ironclad evidence that FBI agent Michael Malone filed two false affidavits to keep MacDonald from receiving a new trial years ago. It is gratifying, after our decade of sifting through the government files, finally to see that people are listening.

JERRY ALLEN POTTER
FRED BOST
Pacific Grove, California

Bookworms

To the editors:

The Montgomery County Department of Public Libraries instituted its "Household Card," a card that allows for a single family borrowing account, in December of 1992. Family Friendly Libraries was not responsible for this "victory," as Catherine Elton writes in her May 5 article, "Balanced Books." Family Friendly Libraries was not an organization at that time and had no influence whatsoever on the provision or development of this customer service.

QUE A. BRONSON
Rockville, Maryland

Hard labour

To the editors:

James Wood's article on "The Coming Blair" (June 2) paints the new prime minister somewhat paradoxically as, on one hand, the bearer of unprecedented American-style freedoms and, on the other, as the catalyst for schism from America and a drift toward the continent.

I expect that neither will be the primary manifestation of Labour's ascendance. Though Wood accurately compares Blair to Clinton in that Blair puts on the façade of a caretaker while working subversively to further a broader agenda, I think that Wood either spins intentionally or misses altogether the content of that agenda.

My bet is that the earlier "gifts" of Labour—monstrous taxation and creeping socialization—will find renewed life, while sapping what remains of the nation's ability to provide such "luxuries" to its people. Britain will sink back into deep socialism, but this time it may propel the country (or what is left of it) not into the stratum of a second-class world economic power (as it did before), but into the upper levels of the Third World.

JOHN ROUMAS
Leominster, Massachusetts

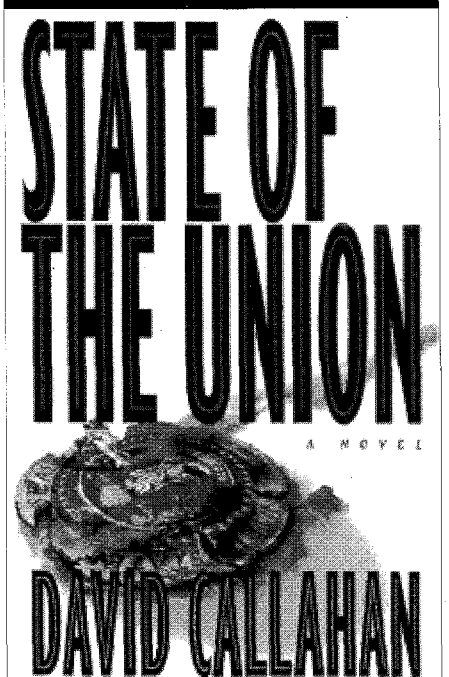
Growing pains

To the editors:

If August Hecksher's Central Park oak tree that Lillian Ross mentions in "Roots" (May 19) grew from four inches in diameter to forty-two inches in twenty-five years, the world's wood problems have been solved. Forty-two inches in circumference I might be able to believe.

JOHN MCCLAUGHRY
Concord, Vermont

A right-wing military cabal is poised to take over the United States—until one man stumbles onto the conspiracy and undertakes a solo mission to prevent the collapse of democracy.



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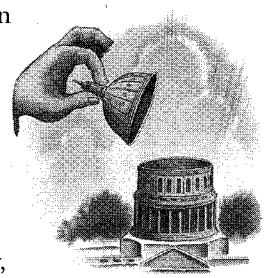
FROM WASHINGTON

The great divider

President Clinton's embarrassingly naked search for historical approval has led him, since his second inauguration, to flit among a number of shiny bright ideas, from better schools to fewer cigarettes to involuntary voluntarism, upon each of which he has lit briefly and supped lightly before fluttering off to the next. Mostly, this has been irritating, but no more than that: in a peaceful and prosperous time, the president as hummingbird-in-chief at least meets the elementary requirement of first doing no harm. But now, in his endless quest for the appearance of greatness, Clinton has done something that is likely to do harm. He has seized upon the race card.

On June 14, at the University of California in San Diego, the president issued what was much advertised as a major address on race relations in America, the kick-off to a year-long "national conversation" on race, replete with commission and report. The speech ran to more than 5,200 words, and it strove for a grand and noble tone, but it was generally dismissed as empty. I wish it had been empty. There are worse things than empty.



When writing on Clinton and race, it is the journalistic convention to say something like this: no matter what you may think about the president's sincerity and honesty on other matters, there's no doubt that on this subject he deeply, deeply cares—he wants to be a healer. Clinton may indeed want this, but, by the evidence of this speech, a healer is not what he is. He is a divider.

In his speech, the president approvingly quoted Martin Luther King Jr.'s exhortation to judge men not by the color of their skin but by the content of their character. But what Clinton proposed in the same speech was a nation committed to policies that explicitly demand that we judge each other primarily by the color of our skins. After a quarter-century of (mostly) extraordinary progress, America is a far less bigoted nation than it was when King made his call for a color-blind society, and a majority of white Americans now believe what King dreamed they one day would believe: that it is profoundly wrong to give preferential treatment to some people, and to discriminate against others, because of skin color.

Believing this, an overwhelming majority of white Americans oppose affirmative action programs that use preferential treatment to benefit designated minority aspirants to universities, jobs and government contracts over equally qualified (or, sometimes, better qualified) nonminority aspirants. And it is not only whites who believe this. A remarkably high percentage of black Americans also reject preferential treatment for minorities. A recent national survey commissioned by the Joint Center for Political and Economic Studies, a leading authority on issues of politics and race, found that 49.8 percent of blacks disapprove of "preferential treatment" for minorities, as opposed to 42.5 percent who approved.

Of course, this is only a poll, and the question was worded to elicit high levels of disapproval. (Many people who say they support "affirmative action" will also say they do not support "preferential treatment.") But there are arguments to this argument. First, at the level of language, "preferential treatment" accurately describes what "affirmative action" programs provide for designated minorities. Second, it is not only in opinion surveys that African Americans are turning against affirmative action. They are turning against it where it matters, at the ballot box. Proposition 209, California's 1996 anti-affirmative action referendum, was supported by nearly 40 percent of black voters.

What these figures suggest is that a majority of Americans, black and white, would very much like to move beyond judging each other by group-identity, and would rather live in a society that offered equal treatment under the law to everyone. They want what the president says he wants, which is one America. But they won't get it if he has anything to say about it. Here is what the president had to say to the Califor-

continued on page 41

THEODORE S. HAMEROW
ON THE ROAD TO THE WOLF'S LAIR
GERMAN RESISTANCE TO HITLER

In the beginning, they rallied behind Hitler in the national interest of Germany; in the end, they sacrificed their lives to assassinate him. A history of German resistance to Hitler in high places, this book offers a glimpse into one of the most intractable mysteries. What transformed these unlikely men, most of them elitist, militaristic, and fiercely nationalistic, into martyrs to a universal ideal? Almost a history of the possibility of an emerging collective moral conscience within a destructive environment, the book adds to our understanding of the fall of the Third Reich and of the task of history itself.

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THE NEW REPUBLIC

JULY 7, 1997

CAPITAL LOSS

As the stock market breaks new records weekly, Alan Greenspan warns that overzealous investors are setting the market up for a crash. Congress and President Clinton have reached a different conclusion: taxpayers need a bigger tax incentive to invest. So, the White House and Congress have agreed to cut the tax rate on capital gains—the income from the sale of assets like stock.

From what you read in the newspaper, you might think that the only argument against cutting the tax rate on capital gains is that it benefits the wealthy. And though it certainly does, that alone wouldn't be a sufficient reason to oppose the capital gains break if it also generated greater overall wealth. But it doesn't. The capital gains break divvies up the economic pie less equally without increasing its size.

How can that be? First, any time the government tries to dictate what people should do with their money, it distorts the free market—sometimes in unsound ways. Under the proposal drawn up by the Ways and Means Committee, the top tax rate on capital gains income will fall from 28 to 20 percent, while ordinary income like salary or bank interest will still face tax rates of up to 39.6 percent. With such a disparity, people will be more tempted to sink their money into less economically useful investments just to get the tax shelter. Exactly this happened in the 1980s, when investors poured billions into constructing empty office buildings in order to take advantage of capital gains incentives. Expanding the capital gains break will mean that, instead of following the dictates of the market, investors will increasingly follow the dictates of the tax code, which makes for a less efficient economy. Republicans usually find such results troubling when the beneficiaries of market meddling don't include their own constituents.

So manipulating the tax code, in general, slows economic growth. And this particular manipulation of the tax code is especially ill-conceived. According to capital gains afficionados, lowering the tax rate on capital gains would encourage people to invest their money rather than spend it. Businesses would use that money to buy new equipment or start new ventures, and the economy would grow faster. The key thing here is that the capital gains break is simply a way to boost investment.

But it's an ineffective way. To understand why, imagine the possible responses to a lower capital gains rate. Some people will decide to put their money into the stock market instead of buying a new convertible. That boosts investment. Other people will move their savings from something that's taxed as ordinary income, like a bank account, into something that is taxed at the lower capital gains rate. That has zero effect on investment. Still other people will be putting aside money until they've reached a specific amount—for retirement, say, or their children's college tuition. Expanding the capital gains break would allow them to reach their goal faster—the money they would have devoted to taxes would go into their mutual fund instead—and hence induce them to invest less. This would reduce investment.

Thus the total effect on private investment would be close to a wash. Some people would invest more, others less, and most would do nothing different. This is an indirect, tiny, uncertain effect. But the capital gains break also does something else that wields a direct, huge and very certain effect on the investment rate: it increases the deficit. Every dollar the government must borrow is one less dollar available for private investment. A lower capital gains tax rate means less tax revenue, higher deficits and more government borrowing from investors. Whatever droplet it may encourage people to add to the pool of investment is dwarfed by the tidal wave it forces the government to take out.

Advocates of cutting the capital gains rate frequently argue that it actually increases tax revenue. Their evidence: in the past, capital gains revenue has risen after the rate has been cut. But this proves nothing. If the government offered a tax break to people with tattoos, so many more people would get tattoos to qualify for the lower rate that revenue from people with tattoos would rise. That still wouldn't mean that a tattoo tax break would bring in more *total* revenue.

Finally, a special tax rate for capital gains income is not only bad economics. It is a moral outrage. The effective tax rate on capital gains income, counting all the special loopholes and breaks, is 7 percent. Trust fund beneficiaries are paying a much lower income tax rate than auto workers, and that gap is about to widen. Because Clinton gave in so quickly, the Republicans haven't been forced to defend this publicly. Somebody ought to make them. •

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NOTEBOOK

POST CHASTE: Jonathan Rauch argued recently in this magazine that strict workplace harassment rules result in a "constipated workplace." We expect this constipation in the boardroom, but in the most famous newsroom in America? *Washington Post* Publisher Donald Graham has apparently decided that his First Amendment-wielding investigative reporters are too thin-skinned to get along. In May, Graham distributed a memo outlining his "revised policy" on sexual harassment. No more "sexually-oriented 'kidding' or 'teasing,'" or even "brushing up against another's body." And displaying "suggestive or derogatory posters, pictures, calendars, cartoons, graffiti, or drawings" can also earn you a pink slip. Graham says the new policy "is essentially based on common sense." Too bad he assumes his workers have none.

WE'RE SO SORRY: THE NEW REPUBLIC has learned that President Clinton, having mastered the apology, intends to expand his regrets. The apologies are expected to be tearful. A tentative list of future apologies, obtained by TNR:

1. The victims of the floods that ravaged the Dakotas. Although reportedly caused by God, the president feels he bears indirect responsibility.
2. Baby seals, who have endured blows no American should.
3. Those who succumbed to the influenza pandemic of 1919. It is time their wound be healed.
4. The victims of the *Hindenberg*, scorched but not forgotten.
5. The dinosaurs, who suffered a sudden and tragic death.
6. Honduran children forced to work for substandard wages in sweatshops, stitching clothes for Kathie Lee.
7. Kathie Lee.
8. The lactose intolerant, condemned to life without butter fat.
9. White House internship applicants who did not make the cut this year. We dare not forget their pain.
10. And himself, for enduring so much sorrow.

NOW IT CAN BE TOLD: *The New York Times* article on June 12 about Vice President Al Gore's appearance at a Buddhist temple in Hacienda Heights, California, on April 29, 1996, seemed to threaten much. It was fifty-seven inches long, started on page one and jumped to page 29. The headline suggested archly that the "GORE TEMPLE VISIT HAD HINT OF GOAL." A pull quote in the middle of the story alluded to "new ammunition for those opposing Gore as a Presidential candidate." Aha! Now, at last, the goods on that scoundrel Gore. Well, actually, yes, the carefully reported, scrupulously written piece by Christopher Drew and Dawn Van Natta Jr. did deliver the goods. The goods, in sum, are these: the Buddhist temple event, arranged by John Huang, the satrap of Indonesia's zillionaire Riady family then fund-raising for the Democratic National Committee, was clearly crooked—essentially a device to launder illegal contributions. But Huang, it appears, hid the crooked nature of the event from the vice president. According to the *Times*, the process leading to the Buddhist temple event began with a telephone conversation between Huang and Gore's deputy chief of staff, David M. Strauss, in which Huang proposed a White House meeting between Gore and a Buddhist temple master, Hsing Yun, whom Gore had previously met. In his notes of the phone call, Strauss jotted down: "lead to a lot of money moving support." This is common in our politics: politicians meet with leaders of all sorts of communities in the hopes of inspiring contributions. This is also legal. Nevertheless, it appears that Gore did not even know of this motive for the meeting; White House officials say Strauss did not consider Huang's remarks "any reason for concern" and "did not pass them on." At the ten-minute meeting between Gore and Hsing Yun on March 15, Hsing Yun asked Gore to visit his temple, and Gore said he'd like to. On April 11, Huang sent a follow-up memo to Gore's scheduling aide, formally requesting that the vice president visit the temple, a visit he clearly identified as a "fund-raising lunch." This one instance of Huang candor is the smoking gun. But the *Times* found no evidence that Gore was informed of this characterization of the visit. Indeed, the *Times* reported that Huang personally assured Strauss that "no money would be raised at the lunch"; and that the briefing paper given to Gore on the day of the visit "did not say any money would be raised at the event." It was only after Gore had given his standard little "E Pluribus Unum" speech and departed that Huang pressed the nuns, monks and other worshipers for checks. Gore has long ago conceded that he should himself have seen that even just gathering past contributors at a religious venue was "inappropriate" and a "mistake." But as for "new ammunition" that Gore knew what was really up at the Buddhist temple? Here's what the *Times* reporters say: "no new evidence has surfaced that contradicts his account of what he knew about the event." Maybe he should have known more. But, so far, the evidence is that he knew only what he says he did. Which was precious little.

THE DEVIL'S OWN: All the ingredients for "peace" were in place. A new British government agreed to talk informally with the IRA—without even the promise of a cease fire. Protestant violence had subsided. The new Irish government was on board. Well-meaning Americans readied themselves for an outbreak of statesmanship. And the Provisional IRA, as its opening negotiating bid, shot two Ulster policemen in the head, at close range. If any final proof is needed that talking to the IRA under any circumstances is pointless, we now have it. The IRA does not see violence as a means to a political end; it sees violence as the end. We hope the British government and the Clinton administration finally get it. •

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Health-care reform, Round II.

BAD MEDICINE

By Romesh Ratnesar

Something was strange about this Capitol Hill press conference. Here were Republican Senator Alfonse D'Amato and Republican Congressman Charlie Norwood introducing "The Patient Access to Responsible Care Act" and castigating private enterprise in tones that would make Ralph Nader proud. "Far too often," Norwood thundered, "the bottom line in medicine is the profits of the company, and not the health of the patient." D'Amato assailed the "greed of the CEOs" of managed-care firms and called on Congress to regulate them. "There is no free market in health care today," D'Amato declared.

What is even stranger than hearing Republicans championing health-care reform is that the springtime D'Amato and Norwood act was no anomaly. In the three years since the Clinton health-care debacle, lawmakers from both parties forged a consensus: the federal government should not micromanage health care, but it still had to intervene in cases where the private sector—which in today's market means health maintenance organizations—sacrificed patients for profits. Legislators had also agreed on a line of attack—to pursue incremental regulations, rather than the sort of grand, universal package that the Clintons tried in 1994. They even had a legislative model: last year's overwhelmingly popular Kassebaum-Kennedy bill, which barred insurance companies from dumping patients when they changed jobs.

Congress had reason to believe it could duplicate that success. Last year, thirty-five states enacted laws attacking HMO transgressions, and, in some surveys, 80 percent of respondents questioned the quality of the care provided by HMOs, which now cover half the population. "There's a lot of anxiety out there," Massachusetts Senator Edward Kennedy, himself a sponsor of an HMO-reform bill, told *Congressional Quarterly* in March. "I'm confident we'll get legislation." But confidence has given way to paralysis. Rather than one 2,000-page bill, reform has fractured into over thirty pieces of legislation, making it easier for opponents to divide and conquer. Bills once considered shoo-ins haven't even received committee hearings. "I'm not hopeful that anything is going to happen this session," says a Democratic aide.

Admittedly, some of the bills never had much chance. The Kennedy HMO bill, which would require health plans to develop quality standards, was dismissed from the outset as too liberal. But even the more modest, GOP-sanctioned proposals have been shelved. A bill introduced in January by House Democrat Rosa DeLauro of Connecticut and cosponsored by Republican Marge Roukema of New Jersey would require managed-care plans to cover forty-eight-hour minimum hospital stays for mastectomies. The measure elicited 17,000 letters of support and a plug in the State of the Union address. Five months after its introduction, though, the bill has gone nowhere. In mid-March, Roukema wrote to Speaker Newt Gingrich and requested that it be immediately scheduled for a vote. She hasn't heard back.

Another ostensibly safe bill, which would prevent insurers from interfering in doctor-patient conversations, has also hit snags. The so-called "gag rule" measure, sponsored by Iowa Republican Greg Ganske, received committee approval in the last Congress but never made it to a vote. Ganske reintroduced the bill this year and says he has lined up 260 cosponsors in the House. But that may not be enough. One GOP lawmaker said Ganske has expressed frustration with House leaders' inertia on his bill—inertia that reflects divisions within the leadership as well as industry opposition. "He couldn't seem to get anyplace with the committee," the member says. Adds a Democratic aide: "If they can't consider something from a Republican, then you have to think that anything that looks at comprehensive care is an impossibility." And would-be HMO reformers in the 105th Congress can find sober lessons in the fate of an archetype of the bipartisan, incremental approach—the Hatch-Kennedy proposal to expand children's health insurance. That apple-pie bill faced little lobbying pressure, but it was still axed during the May budget negotiations.

Both sides blame the other for the breakdown; both are partially right. Democrats carp that the GOP leadership has fallen victim to a well-coordinated onslaught from the HMO industry and business groups. "As much as Democrats are on the side of trial lawyers," says one aide, "Republicans are on the side of insurance companies." The mood favoring HMO regulation has curdled so quickly that industry representatives now speak with a sly contentment. "Early on, we were very concerned about early passage," said Karen Ignagni, head of the American Association of Health Plans, a managed-care trade group. Now, she says, "there's a dissonance between what's being introduced and what's actually moving."

Part of that dissonance is due to a fear that incrementalism may not be so incremental after all, an argument often heard during the Kassebaum-Kennedy debate. Indeed, one Democratic aide contends that the House Republican leadership fears that "if they move one [bill] the dam breaks, and the walls start tumbling down." Knowing that few legislators have the stomach to vote against a hot-button issue like mastectomy coverage, the GOP's strategy, some speculate, is to prevent bills that are impossible to vote against from ever getting that far.

But Democrats harbor their own health-care demons. Some fret that the surfeit of incremental bills will dilute political momentum. "The different lobby groups are splintering off," says a Democratic House staffer. "It really bifurcates the population that generally supports

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these ideas." And the White House has provided little help. Typically, Clinton, created a commission on consumer protection issues in managed-care plans. The task force plans to report back in early 1998, giving legislators time to postpone any delicate decisions—and lobbyists time to help make up their minds for them.

The one thing that may revive the strategy of incrementalism is the same impulse that ultimately pushed through reform in the last Congress: concern over reelection. Since 1990, the number of Americans enrolled in HMOs has ballooned from 36.5 million to more than 60 million, according to *Health Affairs.* Close to 60 percent of managed-care customers now belong to for-profit HMOs, up from 47 percent in 1988. As more nonprofit HMOs and community hospitals feel the economic squeeze, patient dissatisfaction is sure to mount. And, as one top House aide says, "We had a flurry of activity at the tail end of the last Congress, once Republicans realized their major accomplishment was shutting down the government." But don't bet your health insurance on it. Republicans already have their budget deal, and most of them figure that's enough to get them re-elected.

ROMESH RATNESAR is a former TNR reporter-researcher.

ON THE HILL

COURTING DISASTER

By Peter Beinart

It is a familiar story. A maiden bill—pure, unsullied and virtuous—is winding its way through Congress when a band of Republican malcontents heap upon it a heavy load of abusive baggage. The president comes to the rescue. He rejects the dirtied bill, and, after a bit of bluster, the cowardly Republicans slink away. The legislation, restored to virginity, passes.

This morality play proved an immense hit in its Washington premiere during the 1995 budget negotiations, and it recently returned in the form of an emergency disaster relief bill prompted by the floods in Minnesota and the Dakotas. Everyone stayed on script. Faced with a bill no politician in his right mind would impede, House Republicans promptly impeded it, larding it up with a politically motivated amendment about the Census and, pathetically enough, a last-war measure to strip the president of his power to force the kind of government shutdown that ruined the Republicans in 1995.

The Democrats seized the moral high ground. On June 10, a handful of Democratic senators lugged blankets and pillows to Minority Leader Tom Daschle's office and announced that if the good people of the Northern Plains couldn't sleep in their own beds, neither would they. Vice President Al Gore stopped by the Capitol and accused the Republicans of "holding these disaster relief victims hostage. It is cruel, it is outrageous, and it ought to stop now." By morning, the opinion polls were showing that the Republicans had, once again, inflicted upon themselves a public relations disaster. They retreated, excising the offending amendments, and, by June 12, the $8.9 billion disaster relief bill was law.

But, in all this, one question went largely unasked: How virtuous was the bill in the first place? Not very. Only about 10 percent of the money in the disaster relief bill actually goes to the good people of the Northern Plains. A sizable chunk of the money in the bill doesn't go to disaster relief at all, and most of what does isn't being rushed to flood victims. It's not being rushed anywhere: much of it can't even be spent until fiscal year 1998. That's because the emergency disaster relief bill is less about responding to emergencies than about *using* emergencies—using them to get around the budgetary constraints Congress sets for itself.

The emergencies racket goes like this. In 1994, disasters cost the Federal Emergency Management Agency (FEMA) $3.7 billion. So, in its 1995 budget, Congress gave the agency $318 million, less than one-tenth as much. And it wasn't enough. So, when a disaster hit, Congress passed what's called an emergency supplemental appropriation, which gave FEMA $3.3 billion more. And then, for 1996, Congress budgeted $222 million for FEMA. And, lo and behold, it wasn't enough. So Congress passed an emergency supplemental bill that gave FEMA $3.3 billion more. And for 1997 . . . well, you get the idea.

Why does Congress deal with disasters this way? The benign answer is that natural disasters come from above, and we cannot know His ways, and, therefore, we cannot accurately budget at the beginning of the year for His ways. So we need supplemental emergency bills. But this theological answer does not explain why Congress underestimates what FEMA needs, virtually every year, by a factor of ten. The less benign answer is that, when disasters happen, congressmen like to be seen responding. Responding is good politics, even when most of the money you're spending isn't actually going where people think it is. (It's usually going not to respond to a recent disaster, but to fund FEMA for the following year.)

The even less benign explanation is that congressmen find it useful to have "emergency" bills that have to pass because they can throw in little odds and ends that couldn't withstand scrutiny on their own. The Republicans may have failed in their larger efforts, but many individual congressmen succeeded in introducing all sorts of lesser lard: items like $2 million for a Commission on the Advancement of Law Enforcement and $3.5 million for a preservation project in Syracuse, New York.

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The least benign reason of all is that supplemental emergency legislation lets Congress evade the budget balancing agreements it periodically announces with great fanfare. Since the Bush budget in 1991, Congress has set annual caps for how much it can spend in various areas. Those caps were reaffirmed in the 1993 Clinton budget, and again in the deal Congress and the president announced in early May to balance the budget by the year 2002. But "emergency" spending, which is most of what was in the 1997 disaster relief bill, isn't subject to those caps. If FEMA were given what it needs in its regular budget, the money would have to come from somewhere else. But by giving FEMA most of its money in emergency legislation, Congress can evade the budgetary limits it sets for itself. The Congressional Budget Office estimates this latest emergency bill will increase the deficit by $6.6 billion.

In the scheme of budgetary things, $6.6 billion isn't huge. But, according to congressional logic, the cost of disaster relief will keep rising. In 1989, the year Congress began using the "emergency" trick, FEMA's total spending on disasters was $140 million. This year it will be about twenty times that. Are there twenty times more disasters? Probably not, but when spending doesn't have to be paid for, Congress tends to interpret "disaster" more liberally. This June's bill includes "disaster" money for thirty-five states. Another reason that disaster spending keeps increasing is that, to some degree, Congress's disaster funding practices encourage disasters. It works like this: people build homes in areas prone to hurricanes, floods and earthquakes. Hurricanes, floods and earthquakes destroy their homes. Congress, filled with the largesse that comes from not having to account for its free spending, mostly pays them to rebuild in the same area, thus ensuring the next round of disasters.

Occasionally, someone in Congress objects to all this and tries to rein in the disaster racket. With his party in full retreat, Senate Majority Leader Trent Lott suggested that Congress take out not only the GOP's offending Census and budget shutdown amendments, but also much of the emergency spending not specifically earmarked for disasters that had already happened. And, for a moment, it seemed Congress might break the disaster spending cycle and begin to fund FEMA through the normal budget process. But baser heads prevailed. Louisiana Representative Bob Livingston—who as chairman of the House Appropriations Committee is exquisitely sensitive to members' need to spend money—objected, and won. As one Republican Senate aide put it, "The Democrats were at first supportive of a pared-down version. But when they saw the House wasn't going along, they started salivating and said . . . 'let's go whole hog.' " Of course, Congress did. By that afternoon, the $8.9 billion emergency spending bill had passed by huge margins in both chambers. President Clinton congratulated those in Congress who "heeded the call of common sense by ensuring that the people who need this assistance will get it." And everyone, Democrats and Republicans, went home to a well-deserved rest. •

A rare confession of quid pro quo?

GOLD DIGGERS

By Stephen Glass

On September 30, 1996, when President Clinton signed the huge Economic Growth and Regulatory Paperwork Reduction Act, lawmakers applauded the measure for making it easier to fix inaccurate information in credit reports and simplifying dozens of obscure banking regulations. The act did indeed achieve laudable goals. But it also did something else: it handed a $10 million windfall to a little-known and very quiet Republican donor. The windfall was buried in a tiny two-sentence amendment, crafted by GOP Senator Lauch Faircloth of North Carolina. The amendment declared:

> This paragraph shall apply to any obligation issued on or before October 27, 1977, notwithstanding any assignment or novation of such obligation after October 27, 1977, unless all parties to the assignment or novation specifically agree to include a gold clause in the new agreement. Nothing in the preceding sentence shall be construed to affect the enforceability of a Gold Clause contained in any obligation issued after October 27, 1977 if the enforceability of that Gold Clause has been finally adjudicated before the date of enactment of the Economic Growth and Regulatory Paperwork Reduction Act of 1996.

On the face of it, to the average reader, these two sentences mean nothing at all. They may as well be written in Urdu for all their comprehensibility. A reader who happened to be very informed in arcane matters of rent law might understand the amendment for what it is, an effort to update and streamline the law, in this case by altering the enforcement of turn-of-the-century leases that gave landlords the option of calling for their rents in gold, as a hedge against inflation. But even the very well-informed reader would still be missing the real point of the amendment. The real point was to reduce the office rent paid by Stephen C. Hilbert, chairman of Conseco, Inc., an Indiana-based corporation that is one of the world's largest life insurance companies. With the passage of the bill containing these two lines, Conseco's rent for an Iowa office building was virtually guaranteed to tumble twentyfold, from $3.20 to $0.16 a square foot.

And, nine days after the bill was signed into law, Hilbert expressed his gratitude with the kind of generosity politicians understand: he wrote the Republicans a check for $100,000—a sum totaling more than three and a half times what he had given in the previous three elections combined. When reporters note transactions of this sort, the politicians involved generally say (as Faircloth's

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office says in this case) that nothing untoward occurred because the law only prohibits direct quid pro quos—the kind of clear-cut deals that are nearly impossible to prove unless one of the parties to the deal confesses.

But, remarkably, that's exactly what happened this time. Earlier in 1996, Conseco had lost a lawsuit with a landlord who was asking for millions in rent, paid, under the terms of the old law, in gold or the cash equivalent. Then Faircloth's amendment became law. And then, with the amendment in hand, the insurance giant went to the Supreme Court and asked for a ruling that the old gold-clause law did not apply to it—because, the company declared in a stunning burst of candor, Congress had passed a new law intended for precisely this purpose. In any such argument before a court, the plaintiff must show intent—that the law applies to its case. But Conseco went much further. Its lawyers didn't argue merely that the Faircloth amendment was written to help cases *like* theirs; they argued that Faircloth had designed the law *specifically* for theirs. "Congress plainly intended its amendment...," Conseco's lawyers wrote, "to apply to this very case." And again in the brief they argued: "On September 30, Congress ... directly overrul[ed] the Eighth Circuit's decision in this case." And, if the court didn't get the point, they added: Congress "stepped into this case and resolved it...."

The court got the point: on February 18, without even hearing oral arguments, it ruled on Conseco's behalf. The amendment "seems to be an obvious plum for a large Republican donor," says Bob Levy, a constitutional scholar at the Cato Institute who is one of the few people to have studied, let alone noticed, the amendment. In a recent article for *Legal Times*, Levy called the apparent deal "a case of political pull, not public purpose."

The story of Faircloth's very special amendment goes back to 1917. That year, John Trostel, a German immigrant remembered mostly for his impressive mustache, leased a plot of land for ninety-nine years to the Joseph brothers, a well-known pair of Iowa businessmen. Ultimately, the lease was set at $23,000 for a fourteen-story art deco building—in today's money, about $400,000. Trostel assured his children that they were nicely set. But, just to be sure, he included in his lease a gold clause. Gold clauses were meant to guard long-term landlords against the volatility of the marketplace: in the event of inflation, landlords would be allowed to demand rent in gold or the cash equivalent equal in value to the rent at the time of the lease's signing. During the Great Depression, however, President Roosevelt outlawed gold clauses. In the case of the Trostel building, this effectively froze the building's rent at $23,000 per year. There the matter rested until the inflationary days of 1977, when Congress reauthorized gold clauses. The Trostel heirs were suddenly sitting on a gold mine: they could demand a rent equivalent to $23,000 in gold, at the price of gold in 1917. That came to about 1,200 ounces, or about $460,000 at today's prices. Unfortunately, there was a catch: the 1977 law only applied to new contracts.

There the matter rested again until 1990. That year, American Life & Casualty Insurance Company, which Conseco would later acquire, took over the original lease. This had the effect, technically, of forming a new contract. The Trostel family saw its opportunity and demanded that, henceforth, American Life pay the $460,000 rent due under the gold clause. The insurance company refused. The case went to court. In August, the Eighth Circuit ruled against the insurance company, saying there had been a new contract and American Life had to pay up. And there the matter, once more, rested. Until the passage of the Faircloth amendment, which, in plain language, says that a defunct gold clause cannot be resurrected without a new contract specifically agreeing to it, and which, in effect, directed the high court to find for the insurance company. No wonder Conseco's chairman was in such a giving mood.

Asked about the apparent instance of a quid pro quo, Faircloth's legislative director, James Hyland, presented six defenses, each of which fares poorly under scrutiny. First, Hyland said Conseco's check was not sent to the Republican National Committee, but "to some state elections thing." Not so. Federal Election Commission records list the donation as being made out to "RNC Republican National State Elections," which is a soft money fund set up directly by the RNC. Second, Hyland said one intent of the Faircloth amendment was to stop a secret trust of Iranians who were buying up gold clause leases cheap and then trying to force the renters to shell out in gold. Movingly, he cited the plight of the Pickwick Hotel, a San Diego establishment that housed poor and disabled senior citizens and was victimized by the Iranian hustlers. But the proof Hyland faxed to me doesn't bear him out. Instead, it shows that the Pickwick Hotel's lease was bought by the Iranians in January 1996—months *after* Faircloth first introduced his amendment.

Third, Hyland says the Faircloth amendment was necessary because, when Congress re-legalized gold clauses, it didn't intend for them to be "retroactive." This may be so, but it's at least slightly misleading. The Conseco case is not retroactive. The Trostel family only asked for future rent, not back rent. Fourth, Hyland says, no one in his office knew about the Conseco case. It's possible, but only if Faircloth's office did absolutely no research into the amendment he first wrote. There are only a handful of cases that the two sentences affect.

Fifth, Hyland says Faircloth was only a bit player in the amendment; it was also introduced as part of a public housing law in the House. True, but the House legislation didn't make its way to the Senate until May 1996—many months *after* Faircloth introduced his amendment.

Finally, Hyland says, Faircloth became interested in gold clauses because Smith Davis, a Washington lobbyist, approached his office. This may be true. There's at least one piece of evidence that suggests so: Davis and the lawyers in his firm, which represents a California hotel that also had a gold clause rent hike, have given more than $100,000 to Republicans. The only question in the end, then, may be whether the senator sold the same quid twice. •

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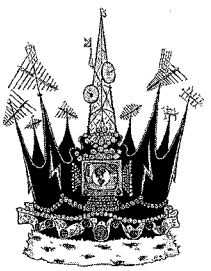
MEDIA REX

CENSOR THIS

By William Powers

It's a curious but not entirely surprising fact that, in the age of media profusion, we dream of media repression. I'm speaking of the Censorship Fantasy, which varies in detail but always features the same general plot line: (1) you are living under a wicked regime that maintains power by censoring the truth; (2) you are one of the enlightened few who see through the appalling lies and cover-ups; (3) it is your mission to defeat the censors and thereby save civilization, which you will do, though it most likely will cost you your life.

The Censorship Fantasy is common today—many participants in talk radio suffer from it to an almost terminal degree—but very few of us get to live it out in reality, to feel the jackboot actually coming down on our keyboards. So I was naturally tickled and proud to learn that THE NEW REPUBLIC had been censored. The news comes to us from Project Censored, an organization based at Sonoma State University in California, which issues an annual list of "the year's top 25 censored news stories." The winners for last year are out, and a TNR piece came in third—the bronze medal of censorship! Who said it couldn't happen here?



Yet there are some strange aspects to this honor that I'm still puzzling over. One is that the censored piece, a TRB column written last fall by my colleague John B. Judis—who seems, when I see him around the office, to be totally unaware that he is just one step away from the gulag—has been published in full in Project Censored's new book, *Censored 1997*. When I learned from press reports of John's odd censored-yet-anthologized status—the annual announcement of the list of censored stories is a genuine media event, a wire-tingling, Nexis-spamming phenomenon—I figured the book might be difficult to obtain, perhaps only available in samizdat or through a post office box in Amsterdam. I wrote the title on a piece of paper, folded it several times and slipped quietly across the street, into a smallish bookstore of decidedly mainstream tastes. I checked the aisles for government agents, unfolded the paper and pushed it across the desk to the clerk, while I searched his eyes for glints of underground sympathy. "Uh, let's see," he said in a carelessly loud voice, as he clicked a few keys. "Yep. Says we should have two copies." He produced the book, not from the back room but from an open shelf near the front of the store; the audacity nearly took my breath away. It was an attractive paperback with blurbs on page two from Ralph Nader, *The Los Angeles Times* ("required reading") and many others. I hurriedly bought the volume and spirited it back to the office, where I closed the door and sat down to read the Judis piece, by flashlight.

It was a tight, characteristically well-reported number, revealing that the fine print in last year's minimum-wage bill gave millions in unpublicized handouts to corporate America. Judis reports that these are typical of the "outrages" perpetrated by the 104th Congress, and that "they more than negate whatever good the bill may do." Pretty shocking stuff, and I was beginning to see why the censors had come down on the piece. But, when I got to the end, I started feeling a bit of déjà vu. It was as if I had read the censored piece before, even though I wasn't working at the magazine when Judis wrote it, before the clampdown got him. I turned to the front of the book, where the mystery was resolved. The censored piece, it turned out, had been *published*—in the October 28, 1996, issue of TNR and then put out over the United Media syndicate to newspapers around the country. A California daily called the *Santa Rosa Press Democrat* reprinted it, and that's apparently how it came to the attention of Project Censored.

This, it seems, is "censorship," American style. It turns out that Project Censored, which has been at this for twenty years, uses what you might call an expansive definition of censorship. In fact, the rules say that for a story to be considered for the list, it must have "been published, either electronically or in print, in a circulated newspaper, journal, magazine, newsletter or similar publication...." Project Censored director Peter Phillips writes: "We annually select and publish the most important under-covered news stories from hundreds of nominations. In today's corporate merger/takeover climate, our activities are essential to the continued vitality of the First Amendment."

So now censorship is synonymous with "under-covered"? Something pernicious and deceptive is happening here, a change in the meaning of a vital and ancient concept: the suppression of ideas by the state. The original censors were two magistrates in ancient Rome, government officials who oversaw not only the census but public morals. And, in modern times, the term has been understood primarily to mean government silencing of writers, news organizations and artists. That is, at least until recently, when it was appropriated by groups like Project Censored to serve a political agenda.

Though the organization's board of "national judges" has included conservative TV host John McLaughlin, each year it is dominated by people associated with another worldview, the one which holds that the U.S. is now in the grip of a cartel of scary clerics, corporate plutocrats, white men in white hoods and gun-loving, misogynist tree-murderers. Some of this year's judges have special expertise in censorship, such as the syndicated newspaper columnist and Pacifica Radio host Julianne Malveaux, who has written in favor of speech codes that would prohibit "the hurling of slurs in public space."

What this group targets is not real censorship of the sort experienced every day in China, Iran and Indonesia.

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It opposes the workings of the information market and the decisions that market reaches about what is news. Though the system is utterly free and open, it is true that some news organs wield more power than others. The most powerful, which are to the right of the left and the left of the right, are very choosy about what they decide to call news. And those whose views are not selected for widest distribution would rather not think of themselves as losers in the game. So they shout censorship.

This is not to say that the mainstream press doesn't make mistakes. It makes many, some of them huge. But to call this censorship is to dilute the meaning of one of the most powerful words in the language—the word that we use to define our most basic freedom, the freedom to use other words. For anyone not captive to the pieties of the left or the right—and most people are too smart for either—the power and limitations of the mainstream are perfectly obvious. Those who want a hard-left point of view on current affairs know they are not going to get it from Judy Woodruff; so they tune in to Pacifica, pick up *Mother Jones*, read Molly Ivins or click on to the web site of *CovertAction Quarterly*. And for those who prefer to hear from the right, which promotes an equally silly conspiracist take on America (a nation in the thrall of the P.C. academics, ghastly feminists and depraved movie stars), relief is only as far away as Rush Limbaugh, *The American Spectator* and the Western Journalism Center's web site.

I visited the latter, on a tip that the Project Censored list has a mirror image at the other end of the spectrum, a twin so close in appearance, tone and even substance that one can glimpse the point where the fringes meet and merge. And there it was, "Operation Spike"—the WJC's annual list of "the biggest media cover-ups of the year" and "the most under-reported" stories. Though this list doesn't literally claim censorship, it suggests as much: in journalese, to "spike" a story is to kill it. I scrolled down through the short list of 1996 honorees, and soon found what I had fondly hoped and somehow knew would be there: a "spiked" TNR story. It was a piece by Michael Fumento, arguing that then-Transportation Secretary Federico Peña was to blame for the infamous ValuJet crash, because he had allowed the airline to keep flying despite a terrible safety record. The WJC's problem with this story isn't really that it was "spiked," because of course it wasn't. It appeared in TNR on October 7, 1996—conspiratorially enough, just two weeks before the censored Judis column. The problem is that the article didn't bring the results conservatives wish it had. "Rather than fire Peña," the WJC fumes, "President Clinton named him his new Secretary of Energy, where he will be responsible for, among other things, monitoring the safety of the nation's nuclear reactors."

I walked down the hall of this, the most censored magazine in America, to dig through TNR's archives for the issue with Fumento's piece so I could read it for myself. There were less than two dozen copies left on the shelf. It would be thrilling to think that on a dark night last October an unmarked government truck pulled up to our building and removed all the other copies, along with every last trace of that censored Judis piece. But it didn't happen that way. The magazines were gone for another reason: we sold them. •

Tansu Ciller's manipulative rise to power.

A REAL TURKEY

By Ann Louise Bardach

Turkey is in the midst of a coup—albeit a bloodless one—but that may be the good news. On June 18, Prime Minister Necmettin Erbakan yielded to threats from the military and resigned. Erbakan, an Islamic fundamentalist, had always been anathema to the military, which claims a constitutional mandate to protect state secularism. While Erbakan's failure to alleviate any of Turkey's social or economic woes had undermined his fragile ruling coalition, it was the flaunting of his Islamic agenda that pushed the military into action.

Of course, Turkey's generals didn't want to make martyrs out of their Islamic foes, and these days they must also worry about international opinion, their membership in NATO, and their bid to join the European Union. So, after firing a few strategic warning shots, the generals settled for a change in government—and that's where the bad news comes in. The heir-apparent is Erbakan's coalition partner, Tansu Ciller—the singularly ambitious, pathologically duplicitous former prime minister whose craven deal-making

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with the fundamentalists precipitated the whole crisis in the first place.

Few have squandered their promise as quickly and shabbily as Tansu Ciller. Elected in 1993 as Turkey's first female prime minister, she was the secularists' great white hope. A petite woman with small, pert features, set off by blow-dried honey hair, Ciller suggested the introduction into Turkey's resolutely male politics of a light, likable and thoroughly modern female sensibility—Sally Field in *Gidget Goes to Istanbul*. And while there was always skepticism about her qualifications to govern a country surrounded by ancient enemies, beset with staggering inflation and cursed with an intractable Kurdish crisis, Ciller nevertheless inspired a limited but quite concrete hope in the West—that she would maintain and protect this hugely strategic country as the only bulwark of democratic secularism in the Islamic Middle East.

TANSU CILLER BY VINT LAWRENCE FOR THE NEW REPUBLIC

Ciller promoted herself as the heir to the legacy of Ataturk, modern Turkey's founder, announcing shortly after the election that she would not be averse to being called "Anaturk." Ataturk, whose real name was Mustafa Kemal, transformed Turkish life, Latinizing the alphabet, replacing Islamic Sharia law with the Swiss civil code, even supplanting the traditional fez with the top hat. Moreover, Ataturk was an ardent advocate of women's rights and education, granting women the vote and banning the wearing of the chador, the Islamic full-length body covering. Ataturk died in 1938 at age 58 of alcoholism, an irony not lost on his pious fundamentalist foes.

In Turkey, where the overwhelming majority of people are secular, Ciller's election was greeted with a downright giddy glee. One Turkish newspaper ran photos of the photogenic Ciller next to Kim Campbell, who had just scored at the Canadian polls, with the headline "OURS IS PRETTIER!" But the honeymoon was stunningly brief. Inflation soared under Ciller to an unprecedented level of 95 percent, and Citizen Osman, as the Turkish man-on-the-street is known, watched his salary become virtually worthless. Meanwhile, Ciller and her husband had somehow come into a multi-million dollar fortune, which she claimed she inherited from her mother—a woman neighbors described as a destitute widow. "You have to understand," says businessman Zafer Buyukoglu, "that the Cillers have surpassed the Marcoses on a per-diem basis in terms of graft." Fumed one Turkish industrialist I interviewed, "We fell in love with a girl in a nice dress, and it turned out she was wearing a shabby rag. She has no common sense. She is worse than stupid. She is erratic."

Last June, facing an imminent investigation into her finances that threatened her political career, Ciller made a stunning power play. The avowed secularist did the unthinkable: she forged an alliance with *Refah*, or Welfare, Erbakan's fundamentalist party. Previously, Ciller had ceaselessly demonized Erbakan, who, in turn, had called Ciller "the country's biggest thief." But when the 1995 elections were over, Welfare had just 21 percent of the vote—more than any of Turkey's twenty-eight other parties, yet still well short of a majority. Welfare needed a coalition partner, and Ciller was the only one willing to cut a deal with *Refah*. Erbakan became prime minister and reportedly promised to block any inquiries into Ciller's finances. Ciller became foreign minister and secured an agreement that the two would swap positions after two years. "It's a dalliance between a religious hypocrite and a secular criminal," says one former U.S. diplomat.

Immediately, Erbakan outlined his agenda for Islamicizing the country. He hinted that he might yank Turkey out of NATO and announced that he wanted to form a new, Islamic, NATO-style alliance. He threatened to terminate his country's long-standing bid to join the European Union. He invited renegades such as Sudanese officials and Louis Farrakhan to visit, set up Koranic schools throughout the country and vowed to pass legislation that would allow women to wear the forbidden chador to work and school.

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Erbakan's supporters in the Welfare Party had some ideas of their own. When asked what he planned to do about Turkey's dire water shortage, Istanbul's fundamentalist mayor, Tayyip Erdogan, responded that he intended to go to the mosque every day and pray. His counterpart in Ankara, Melih Gokcek, who previously belonged to Turkey's fascist party, proposed mandatory veiling for women and gender-segregated facilities.

All of this mightily displeased the Turkish military, which sees itself as the guardian of the secular state. When Erbakan visited Tehran last year to sign a multimillion dollar oil pipeline deal between the two countries, Turkey's generals took notice. And in February, after a Welfare mayor endorsed the Iranian ambassador's call for an Islamic Turkey, the generals took action. They expelled the envoy, tossed the mayor into jail and dispatched tanks to the streets.

At about the same time, the military shored up its long-standing alliance with Israel, the great enemy of Islamic fundamentalism. In February, General Ismail Hakki Karadayi, the military's chief of staff, flew to Israel to expand military cooperation between the two countries. Soon after, Israeli Foreign Minister David Levy visited Ankara. Karadayi saw to it that Erbakan—who'd once vowed a jihad to liberate Palestine—gave Levy a respectful audience to discuss increased trade and security matters.

Relations between the military and the government reached their nadir in late April, when General Osman Ozbek called Erbakan "a pimp" for meeting with the Saudi king during his hajj to mecca. Soon afterwards, the police—at the military's behest—staged highly publicized raids in the western province of Bursa, shutting down a half dozen Koranic schools and vowing to close "thousands more." Outraged ministers began resigning from the government in protest, and *Hurriyet*, a major daily newspaper, ran the banner headline: "GOVERNMENT'S DAYS ARE NUMBERED."

But how, then, has the discredited Ciller again positioned herself for the prime minister's post? A glance at her history explains much. She grew up as the only child in a political household; her father served once as mayor of Istanbul. A former college classmate recalls Ciller as "ferociously ambitious" and not a little mean-spirited: "Right before exams, Tansu would go to the library and take out all the relevant books so that no one else could read them."

At 17, Ciller married her high-school beau, Ozer Ucuran, and insisted that he take her name so that her family name would not die out. Ozer quickly gained a reputation for "creative" business practices; says one well-known Turkish business magnate, "I wouldn't see Ozer Ciller or do business with him. He's very good looking and cunning as a snake." While a certain amount of graft, corruption and bribes are the cornerstones of Turkish politics and business, the Cillers' detractors say the couple's dealings have exceeded all respectable bounds.

Bedrettin Dalan, Istanbul's mayor in the mid-1980s and schmoozer extraordinaire, met Tansu Ciller in 1987 (while Ciller was a professor of economics) and introduced her to politics. Dalan, who is known for his appreciation for attractive women, made Ciller an adviser. Ciller's enemies whisper that the relationship was more than collegial. "She became famous very fast," Dalan says. "She gave a very brave speech against Ozal [Turkey's popular prime minister until his death in 1993] causing the high inflation. The newspapers loved her and ran her picture on the front page. She had a pretty face and said brave things."

In 1994, Dalan ran for mayor along with a dozen other candidates and lost to the fundamentalist Tayyip Erdogan. Some observers said it was Ciller's refusal to support Dalan in the mayor's race that cost him the election. "She thought he would become powerful again and challenge her," says one bitter Dalan supporter. It was an act of betrayal, largely ignored at the time, but one which clearly foreshadowed her skin-saving alliance with Welfare two years later.

Ciller had dumped Dalan to team up with the powerful Suleyman Demirel and his True Path Party. Mentored by Demirel, Ciller became head of her party and its candidate for prime minister, creating a sensation on the campaign trail. "She swept through Anatolia, playing this maternal role, saying she was the mother of all Turks," recalls an Istanbul publicist. "She would say, 'You're going to vote for your mother, aren't you? You're going to vote for your sister?' And they did!" And, while playing the poster girl of secularism, she also played the religious card. On occasion during her campaign, she would wrap the Koran in her neck scarf, and sometimes, invoking the most shameless symbolism, envelop the holy book in the Turkish flag.

Once in office, Ciller's loyalties continued to shift, depending on political expediency. First, she rallied behind the military and its unprecedented scorched-earth campaign against the Kurds. Then, she swung over to the ultra right, flirting with the nationalist parties, before delivering her country to the fundamentalists. So fickle are her loyalties that her own political godfather, Demirel, has been actively working to oust her ever since.

But that won't be easy, even for Demirel. "She will make a deal with anyone ... anyone who will keep her in power," says Mehmet Ali Birand, Turkey's most prominent journalist. "People have been saying for the last six months that this coalition is doomed, finished, but I am still waiting," says former U.S. ambassador to Turkey Morton Abramowitz. "Ciller is determined to stay in power. Otherwise she has to face the music." In May, Turks got a chastening demonstration of just how far Ciller will go to protect her interests. A day after independent Flash TV broadcast an interview with a criminal who said he had been bribed by Ciller's husband, a mob of fifty gun-wielding men attacked the station, destroying the office and its camera equipment.

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Even if Ciller does become prime minister, there will likely be new elections sometime this year. But with runaway inflation and 10 million Turks unemployed, the chronically feuding centrist parties will continue to have a hard time fending off the fundamentalists unless they unite. Although outnumbered, the fundamentalists are highly organized and receive funding from Iran and Saudi Arabia. In every election, Welfare Party volunteers go to the poorest neighborhoods, handing out food and money and promising jobs. And while they campaign against government corruption, they are not above stuffing the ballot boxes themselves. (Dozens of ballots marked for centrist candidates in the 1994 elections were found in a dumpster; police discovered more than 150,000 forged ballots in one runoff election that same year.)

Terrorist attacks from Muslim extremists have been infrequent but deadly. The most chilling occurred in July 1993, when a hotel hosting a conference on secularism was burned in Sivas, a *Refah* stronghold in southern Turkey. Thirty-seven of Turkey's most prominent intellectuals perished in the fire, torched by a frenzied crowd chanting, "Victory belongs to Islam." A subsequent investigation revealed the collusion of the local police, firemen and mayor.

Fundamentalists have also targeted Turkey's small Jewish community. Jak Kahmi, the country's most prominent Jewish businessman, narrowly escaped death in 1992, when terrorists blew up his car. Fundamentalists have lodged boycott threats against the Jewish developer Ishak Alaton. "It's very silly," shrugs Alaton, who established Turkey's first think tank. "We have 4,500 Muslim employees." Nevertheless, Alaton cautions against too much alarm. "We are 25,000 Jews in a sea of 60 million Muslims," he says. "Remember, Turkey was the first country in 1948 to recognize Israel. Turkey has been a very tolerant, hospitable country for 500 years, so one has to put it all in perspective."

The perspective is an old Middle Eastern one: the enemy of my enemy is my friend. It was the recognition of such common enemies as Syria, Iran and Iraq that led to the improbable alliance between Turkey and Israel. Still, while there has never been any love lost been Turks and Arabs, they still share one common bond: they are both Muslim. With its interfaith marriage to Israel, Turkey is gambling on nothing less than the triumph of secular Islam over fundamentalism.

It is a huge gamble and one that the military does not want to entrust to the feckless Ciller. And while the dearth of political leadership means Ciller may prevail by default, the military will likely have the final say. "The military has the support of the secular majority, which is about 75 percent of the country," says Birand. "Secular public opinion is pushing the military to do something. In a way, they are using the military. And vice versa." Given the military's clout and preeminence, it is likely that, at least in the short term, secularism will stave off fundamentalism in Turkey. But the legacy of one woman's greed and duplicity is that the price of this victory may be democracy. •

The next big conservative issue.

CHRISTIAN RIGHTS

By Jacob Heilbrunn

On a recent afternoon in Washington, D.C., a group of Christian evangelicals and social activists met at the offices of the conservative Family Research Council to watch a short home movie. The twenty-minute film, smuggled out of the People's Republic of China, depicted Chinese Christians involved in the illegal faith known as the home church movement. The audience watched scenes of hundreds of worshipers at passionate prayer—swaying, chanting—in the caves and fields where they secretly meet. And they watched Chinese Christians taking part in midnight baptismal rites in icy rivers and copying Bible verses by hand. Finally, they watched Christian priests of the home church movement tell of their arrests and torture. One released prisoner, Brother Peter, was videotaped in a dark room and from behind, so that his face could not be seen. "The persecution is definitely increasing," he said, in halting English. By the end of the movie, many in the audience were weeping.

The scenes that wrung tears are not ones that Americans are accustomed to seeing. Apart from occasional, isolated condemnations of forced abortions in China, there has been no serious attention devoted to the suppression of religious liberties in the world's most populous nation by the American government, by con-

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servative groups or by liberal human rights organizations. Neither of the two major political parties has made an issue of Chinese religious persecution, and until now the press has devoted scant attention to the subject.

This may all be about to change, thanks to a small coalition of conservative Christian and Jewish social activists. A number of the leading activists were in attendance at the screening: host Gary Bauer of the Family Research Council; Nina Shea of the human rights group Freedom House; Katherine Ho, a Christian and survivor of two decades in the Chinese gulag; Paul Marshall, author of a new book on human rights violations, *Their Blood Cries Out*; and Jim Jacobson, president of Christian Solidarity International–USA. These people, and a few others—most notably the Jewish neoconservative Michael Horowitz—have coalesced behind a cause they believe will rejuvenate American conservatism: the cause of religious oppression of Christians. They maintain that Christians have replaced the Jews as the most persecuted group in the world and that, in China, this persecution is reaching historic levels, its highest pitch since Mao's cultural revolution. They believe in what you could call the liberation-theology of the right; they believe that the Chinese government persecutes Christians because it properly recognizes that religion can destroy it. They believe that this is the next great moral issue of American politics, an issue that can draw from the left and the right and one that has the power to derail the Clinton administration's China policy.

As that policy faces an imminent test in the congressional vote on June 25 for extending Most Favored Nation (MFN) status for China, the coalition's strategy appears to be beginning to work. The long-standing, bipartisan assumptions of détente and trade with China have been shattered. Both parties are now split on China, with the Democrats' unionist left and the Republicans' Christian right uniting against both parties' business-dominated center; on this issue, the AFL-CIO has joined the Christian right. Among conservatives, the China issue has prompted a split on a fundamental question: the meaning of Reaganism. The party's supply-siders, led by *The Wall Street Journal*, Farrakhanite loony Jude Wanniski and columnist Robert Novak, argue that Reaganism was essentially Reaganomics, and they therefore champion trade with the middle kingdom over any concerns of the higher kingdom. The Christian right and Jewish neoconservatives retort that Reaganism wasn't just about opening up foreign markets. It was primarily about morality: the defeat of communism was a sacred mission, not just an imperial one. This split has begun to find expression in practical political terms as Bauer, the Republican editorialist William Kristol and others have started to openly challenge the domination of American foreign policy by corporations—the same corporations that fund and dominate the Republican establishment.

This sort of fissuring and re-forming will continue because there is more at play here than philosophy or policy or party politics; there is also personal politics. In the Democratic Party, Dick Gephardt views the China card as the wedge issue he can use in 2000 to pull primary voters away from Al Gore. In Republican politics, the hot-button issue of persecuted Christians has become a weapon in the battle for primacy between the two most important social conservative groups, Bauer's Family Research Council and Pat Robertson's Christian Coalition.

The shifting alliances of China policy have been commented on in the press as if they represent a new and strange post-cold war phenomenon. In fact, there is nothing particularly strange or new going on here. The new anti-China lobby is consciously modeled on the old anti-Soviet one that brought together hawkish Scoop Jackson Democrats with trade unionists and traditional Christian conservatives. Just as the AFL-CIO, evangelicals and Jewish neoconservatives joined forces against the Soviet Union, so the same groupings are teaming up against China. They may be animated by different motives, but their goal is the same: to force the U.S. government to drop détente with a communist power in favor of containment.

Now, as in the earlier anticommunist effort, much of the coalition's intellectual force comes from the neoconservatives. The main source of that force is Horowitz. A former Reagan administration official who began his career teaching civil rights law at the University of Mississippi in the 1960s, Horowitz is a senior fellow at the conservative Hudson Institute and an indefatigable, behind-the-scenes operator. For Horowitz, China represents a golden opportunity to realize the neoconservative dream of creating a permanent alliance between Jews and evangelicals. "The Bible Belt," says Horowitz, "is our safety belt."

The 58-year-old Horowitz has almost single-handedly transformed persecution of Christians into a major issue. *New York Times* columnist A.M. Rosenthal, who has taken up the cudgels on behalf of Chinese Christians, wrote that Horowitz—a wiry man who talks at a machine-gun pace—"screamed me awake" on the issue. James Dobson, president of the Christian group Focus on the Family, wrote in an April newsletter, "Michael, who is Jewish, was among the first to recognize what was happening to Christians and began a frantic campaign to notify the world." Horowitz's strategy has been to start from the bottom, to build a grass-roots church alliance that can be relied on to bombard Congress with letters and phone calls. But Horowitz also lobbies at the top, and he has persuaded Representative Frank Wolf of Virginia and Pennsylvania Senator Arlen Specter, both Republicans, to propose legislation called "The Freedom From Religious Persecution Act." The act is based on the Jackson-Vanik amendment that was designed to penalize the Soviet Union for violating human rights; it is supposed to be introduced this fall as part of a broader campaign on behalf of Christians.

Horowitz stumbled upon the issue of Christian persecution by way of Ethiopia. After sponsoring for Ameri-

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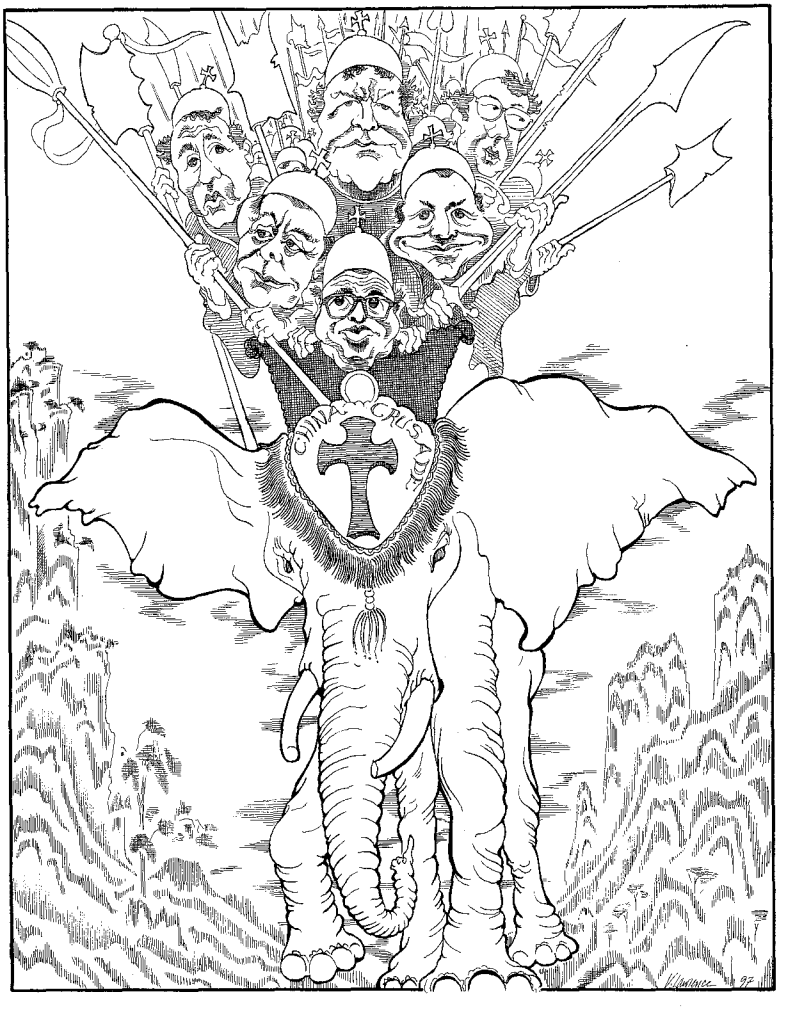
can citizenship an Ethiopian Christian who had been tortured, Horowitz was surprised and incensed to learn from the Immigration and Naturalization Service that religious claims for asylum commanded a very low priority. In an article in the July 5, 1995, *Wall Street Journal* titled "NEW INTOLERANCE BETWEEN CRESCENT AND CROSS," Horowitz detailed the depredations of gangster regimes in Africa and the Middle East against Christians. "For American Jews, who owe our very lives to the open door of 'the blessed land,' " he concluded, "silence should not be an option in the face of persecutions eerily parallel to those committed by Adolf Hitler."

Horowitz says the response to his piece both from Jewish and Christian organizations was no response. His next step was to "send letters to 150 mission boards. I told them, 'I'll work with you.' " Horowitz wrote in his letter, "It does seem to me that America's missions may have a special role in breaking the silence now surrounding these persecutions." In January 1996, Horowitz joined Nina Shea of Freedom House to put together the new movement's seminal event, a conference at the Mayflower Hotel in Washington on "Global Persecution of Christians." Shea, who has been researching the issue for two decades, says that the boom in attention paid to Christians "started with the conference." In conjunction with the conference, the National Association of Evangelicals released a statement of conscience that was signed by the Episcopal Church, the Presbyterian Church and the Southern Baptist Convention.



DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

Since then, Horowitz has more narrowly and aggressively focused on China, and he has built the network of involved groups and activists from a few to relatively many. His weekly steering committee includes influential activists such as Ann Huiskes, a senior aide to Congressman Wolf, and David Saperstein, director of the Religious Action Center of Reform Judaism. In recent months, the bandwagon has become crowded, and the competition for public prominence has become intense; Horowitz frets that William Bennett, a relatively recent fellow traveler, may, with his publicity-prone ways, upset the delicate alliances between the various evangelicals.

If Horowitz is the impresario of the anti-China movement, Bauer is its public face. It is in the swirl of people and factions around Bauer that one can see most clearly the conservative power politics at play in the China issue. Like Horowitz, Bauer is a former Reagan official who has always had an aptitude for taking marginal issues and forcing them to public prominence. His ability to do this has enabled him to challenge the preeminence of a larger and wealthier rival within conservative politics, the Christian Coalition. In this regard, the China cause is heaven-sent for Bauer: the Christian Coalition's Robertson has been quiet on the subject—partly, some suspect, because he has business investments in China.

Bauer also sees the China cause as a chance to revive the strain of moralism in Reaganism that he believes made it both muscular and popular. Bauer himself was initially attracted to Reagan for his strong stand on foreign policy at the 1976 Republican convention, where Reagan pushed through a platform plank repudiating Kissinger's economics-based détente with the Soviet Union. "I don't believe capitalism works without being tempered by virtue," says Bauer. "There is nothing sacred about the marketplace." Bauer's moralism has led him into territory and rhetoric unfamiliar to most old Reaganites. At a June 4 press conference on Capitol Hill, Bauer appeared with the AFL-CIO's Jeff Fiedler, Democratic Representative Nancy Pelosi of California, and Wolf to decry American dealings with China. Bauer's unexpectedly old-liberal message: "I went up to Wall Street and reminded them that all men are created equal. It's a universal declaration. That founding principle has to be at the center of democracy and foreign policy. Otherwise, we're not who we say we are."

Naturally, this sort of talk sits poorly with the GOP

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business community and with economic conservatives. Officials at the Heritage Foundation, which has consistently pushed for trade with China, say they regard Bauer as an opportunist who has hit upon a business strategy to raise the Family Research Council's public profile. Republican congressmen complain to Bauer about the heat they're starting to feel from religious constituents. *The Wall Street Journal* ran an op-ed on June 11 by Robert A. Sirico, a Paulist priest, complaining that "Mr. Bauer's position has evolved from a strong moral stand in favor of religious freedom to waging total trade war." It concluded with what has become the standard dogma: "Just as religious freedom offers the best hope for Christian social influence, economic freedom is the best hope for spreading that influence around the world."

William Kristol, editor of the conservative *Weekly Standard*, argues that the Republican business establishment's attacks on Bauer represent a horror at the encroachment of religious conservatism into the business of making money. "It's amazing that the *Journal* has this assault on Gary Bauer every day," Kristol says. "The attitude is, 'Who is he to come butting in on our sandbox? He can do his partial birth abortion, but not economics and foreign policy.' " Kristol's point is well taken, but here, again, internecine politics are at work. It is not surprising that Kristol would stick up for Bauer. Bauer's baptism as a China hawk was, in fact, administered by Kristol. Shortly after President Clinton's reelection, Kristol hosted dinner meetings in Washington and New York to look for foreign policy issues that could reinvigorate conservatives. The one issue that kept popping up, says Kristol, was China. Kristol, who says that he lost a major advertiser over China and who has created a new foreign policy organization called the Project for the New American Century, solicited an article on China policy from Bauer for an issue of the *Standard* about China. In it, Bauer hoisted the Reaganite flag of crusading for freedom, and he decried the rush "to sell a few more Big Macs." Bauer's crusade nicely matched Kristol's own vision of proper Republicanism. Bauer served as an instrument with which to prevent the social conservatives from becoming foreign policy isolationists. Instead, they could be mobilized as foot soldiers on the foreign policy front. Says Kristol, "Gary saw a chance to broaden his own agenda and to save his own movement from going down the Buchananite path." Which is exactly Kristol's agenda, as he tacitly acknowledges: "I think it's important that Bauer has emerged as the most prominent conservative critic. That was in my mind all along."

But perhaps the primary reason that the Christian right and neoconservatives have focused on the issue of persecution of Christians by the Chinese government has nothing to do with competing conservative strategies or activists jockeying for primacy. It is simply that the persecution is real, and by all reports getting worse. Christian groups and conservative politicians such as Jesse Helms have long decried China's official one-child policy and forced abortions, and, in 1987, L. Ladany, S.J. published his illuminating *The Catholic Church in China.* But in the past decade, as an underground Christian movement has spread, the scale of suppression of religious liberties appears to have increased dramatically. A milestone was reached in 1994, when Prime Minister Li Peng approved decrees 144 and 145, authorizing the Public Security Bureau to crush any religious organizations that refused to register with the state. Since then, the ubiquity of the oppression can hardly be exaggerated.

One weapon has been economic. Steve Snyder, president of International Christian Concern, first visited China in 1991 as part of a delegation led by Congressmen Frank Wolf and Chris Smith. He says that "the situation is more repressive today in many respects. The government has created a witch-hunt for Christians." Snyder, who met in May with underground church leaders, explains that "because of corruption, local officials see it as an opportunity to gain financial support, to take what little money that the poor peasant Christians have. They take their furniture and sell it."

The main instrument of the government, however, has been brute, and sometimes lethal, force. On April 18, 1989, for example, several thousand members of the military attacked 1,500 Catholics in Youtong village in the northern Hebei province, killing two worshipers and wounding 300. In December 1994, 200 police officers shut down the evangelical pastor Yang Yudong's church in Beijing. In 1995, according to a recent amendment sponsored by Congressman Gordon Smith of Washington, Public Security Bureau government thugs raided a meeting of some 500 evangelical Christians in the city of Huaian, "broke up the meeting, beat several participants, imprisoned several of the organizers, and levied severe fines on others."

Last year seems to have been a particularly busy one for China's Christian hunters. According to *The Far Eastern Economic Review*, the police destroyed 15,000 religious sites in the Zhejiang province alone in 1996. In January, Father Guo Bo Le of Shanghai was sentenced to two years of re-education, according to the court decision, for "saying Mass." In March, during Holy Week, public security officials raided the home of the bishop of Shanghai and confiscated numerous religious texts, and in April, the authorities in Shanghai closed more than 300 home churches or meeting places. In the Jiangxi province, in November 1996, eighty Catholics were beaten and jailed. And in March, according to a June 6 Freedom House report, the Chinese authorities arrested Peter Xu Yongze, an underground Protestant leader who heads the "Full Scope Church." He is imprisoned in Henan along with 300 other Protestants.

Protestant leaders in China say that 40 percent of the inmates in Henan labor camps are members of the Christian underground. The methods that the authorities reportedly use to re-educate these Christians

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include starving and beating detainees, binding them in excruciating positions, hanging them from their limbs and torturing them with electric cattle prods and drills. Sometimes, relatives are forced to watch the torture sessions.

The Chinese government's official position is to allow religious worship, and it is true that official religious organizations, including ones of a Christian nature, do exist in China. These organizations were established by the state in 1979. They are controlled by the Religious Affairs Bureau, which is controlled by the Department for a United Front, which is controlled by the Central Committee of the Communist Party. They include the Catholic Patriotic Association, the Three-Self Patriotic Movement for Protestants and the Chinese Christian Council. Under these organizations, official Christian churches are allowed, and the Chinese government estimates that these churches are home to 10 million Protestants and 4 million Catholics. But these are not at all free organizations or true Christian churches; they are rigidly managed by the state. Preachers must be registered with the government's Religious Affairs Bureau. They are not allowed to preach outside their own province. They are not allowed to speak about the second coming of Christ. They are not allowed to baptize anyone under 18 years of age. According to Paul Marshall, a senior fellow at the Institute for Christian Studies in Toronto, priests from the government-run churches have even testified against members of the underground church and been present during police interrogations. In October 1995, for example, an underground preacher in Henan was jailed after a pastor turned him in. The Catholic Church, for one, does not recognize the state-sanctioned practice of Christianity in China as the true worship of God. In 1996, Pope John Paul II told Chinese Catholics "to remain constant to the faith received and communicated, not giving in to concepts of a Church which does not respond either to the will of the Lord Jesus, nor to the Catholic faith, nor to the sentiment and convictions of the greatest majority of Chinese Catholics."

The government's fears are understandable. There are no dissidents left in China who have not been imprisoned. There is no independent labor union. There is no underground press. The only movement that has escaped government control is the burgeoning home church movement, the illegal Christians. The number of Christians in China is clearly higher than the government would have it; most observers estimate that the number ranges between 40 and 60 million, with the home church movement at over 20 million.

The silence from many Jewish and Christian organizations, from the Clinton administration and from the liberal human rights lobby that greeted Horowitz's initial efforts to turn attention on the plight of Chinese Christians, has turned out to be typical. Gary Bauer and Michael Horowitz find this curious: Why do America's mainstream churches, human rights organizations and the United States government seem not to care much about what is happening to Christians in China? The reasons seem to be a matter of politics and cultural snobbery. One reason is that organizations such as the National Council of Churches (NCC), which enjoyed a long and dishonorable history of truckling to the Kremlin during the cold war, maintains a similarly appeasenik posture toward Beijing today. NCC Secretary Victor W.C. Hsu returned from a trip in 1996 to China examining church-state relations to report that any persecution was the result of the overzealousness of local cadres. When NCC Associate General Secretary Albert M. Pennybacker appeared before Representative Chris Smith's Subcommittee on International Operations and Human Rights on February 17, 1996, he said that the "evangelistic zeal of outsiders" was provoking repression. Acts that appeared to be "persecution" could in some instances really be "the wish to preserve authentic religious and cultural traditions."

And the National Council of Catholic Bishops (NCCB), which opposes renewing MFN, has wavered on dealing with Beijing; in 1996, it lobbied Congress to continue subsidizing exchange programs with the Chinese "Patriotic" churches, and it has enjoyed warm relations with the radical American Muslim Council. The NCCB's John Carr says that the Church seeks "reconciliation" in China. But in the past year, according to Horowitz, Cardinals John O'Connor and Bernard Law have prompted the Pope to pressure the bishops' council to stop coddling Beijing, and the council is beginning to make a U-turn on China.

Then there is Human Rights Watch, whose silence on this subject has been conspicuous. Pointing to a copy of the *1997 Human Rights Watch World Report*, Horowitz flipped to the special initiatives section: "Prisons, Corporations, Academic Freedom, Lesbian and Gay Rights," he read. "Where's religion?" It wasn't there; Human Rights Watch buries religion in isolated sections of the book. Horowitz maintains that Human Rights Watch and other generally liberal human rights organizations suffer from a bias in dealing with religious issues. He said in a February speech: "'They aren't our sort of people,' one can almost hear them say—just as many of their counterparts said of my people fifty and sixty years ago."

Horowitz appears to be right. It certainly seems to be the case that Kenneth Roth, the executive director of Human Rights Watch, takes a dim view of the focus on Christians. In an interview published in the March 31 issue of *New York* magazine, Roth airily dismissed the arguments on behalf of Christians as "special pleading" and "an effort to privilege certain classes of victims." This seems a remarkable attitude for a human rights activist, since, by definition, all arguments on behalf of all persecuted groups—racial minorities, political minorities, ethnic minorities, etc.—are "special pleadings" intended to help "certain classes of victims." But Roth stood fast. When I interviewed him, he exuded nothing but contempt for the efforts of activists such as

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Horowitz and Nina Shea. He argued that Human Rights Watch has in fact examined the problem of Christian persecution, but has been unwilling to accord it special status. He said that Horowitz's criticism that there is no special category for religious persecution in the listing of types of persecution in the *1997 Human Rights Watch World Report* is bunk: "If he had read the report, he would have realized how silly it is. He was making the argument on the basis of utter ignorance.... He has his shtick." But Horowitz rightly notes that Roth can always point to occasional passages addressing Christian persecution; the point is that he is unwilling to acknowledge that the issue commands any urgency. One leading conservative activist says that when House Speaker Newt Gingrich showed a letter to Roth this spring signed by thirty religious leaders that expressed concerns about religious persecution in China, Roth "went over it line by line and attempted to eviscerate it."

As for Shea, Roth said she is unable to support the claim in her new book, *In the Lion's Den*, that more Christians have died for being Christians in this century than in the previous nineteen: "If it were serious, she would have backed it up." Shea responded, "I don't think he's familiar with the issue. They're playing catch-up. They need to minimize the problem because they missed it. Bigotry against evangelicals and Catholics in America has stalled the story from being told here about persecution abroad."

Like the liberal human rights lobby, the Clinton administration has shown a marked lack of concern over the persecution of Christians. While the administration is changing federal policy to create new categories of political asylum for victims of spousal abuse and for gays and lesbians, it has viewed religious persecution with indifference. In part, the reason for the administration's inaction seems to be the same aesthetic distaste for taking seriously religious persecution that pervades the human rights establishment. One recent and revealing example came in the form of testimony by Steven J. Coffey, principal deputy assistant secretary of the State Department's Bureau of Democracy, Human Rights and Labor, before the Senate Foreign Relations Committee in May. Coffey stated that "where political freedoms are constrained or repressed, the same is often true for religious freedom ... as we work to expand the family of democracies around the world, to build free societies, to encourage tolerance, and to defend all fundamental human rights, we are also working to promote religious freedom." Coffey has it exactly backwards: political freedom depends on religious freedom, rather than the reverse. Religious freedom is not incidental to a free society, as Coffey's remarks would seem to suggest, but an essential foundation for one.

But the larger reason for the administration's unwillingness to act, or even speak, on the subject would appear to be simply its profound reluctance to permit any human rights issue to gum up trade. The business of the Clinton administration has been business. As Jeffrey Garten, Clinton's former undersecretary of commerce for international trade, explains in the May/June *Foreign Affairs*, foreign policy should be focused exclusively on trade: "Many ... still believe that commercial policy is a tool of foreign policy, when it should more often be the other way around—the United States should use all its foreign policy levers to achieve commercial goals."

The refusal of the Clinton administration, the mainline churches and human rights organizations to recognize the sufferings of Christian believers in China and other countries has created a vacuum that is being filled by Jewish neoconservatives and evangelicals. What is now beginning to worry both Human Rights Watch and the State Department is that the attention the religious right has focused on Christian persecution is growing out of the confines of conferences, memorandums and op-eds, and toward action. In New York, Peter Vallone, the speaker of the City Council, has pushed through a resolution on behalf of Christians, and the city is weighing divestment sanctions toward countries such as China. In California, State Senator Ray Haynes has successfully pushed through a resolution on Chinese religious persecution that calls for denying MFN. There is at least a possibility that the House will reject the extension of MFN when it comes up for a vote next week.

But the most significant bill that the religious right hopes to pass is a measure, due for consideration in the fall of 1997, sponsored by Frank Wolf and Arlen Specter. This bill is a flat-out attempt to pressure the Clinton administration into making religious persecution a major concern. It would establish an Office of Religious Persecution Monitoring in the White House, to be headed by a Senate-confirmed director. It would designate three religious groups as deserving special attention: Christians in communist and radical Muslim territories, Tibetan Buddhists and Iranian Baha'is. Countries that were deemed to violate religious rights would be barred from receiving exports from the U.S. that could facilitate persecution and would be barred from export-import bank assistance. The act would further require the U.S. to vote against loans from the International Monetary Fund to sanctioned countries.

The administration, of course, opposes the bill. But opposition may not make it go away. Many congressional Republicans, well to the right of their party's business lobby, are increasingly enamored of the China issue, or they are at least becoming wary of spurning religious and moral concerns. And, on this issue, the Gephardt wing of the Democratic Party is now closer to Gary Bauer than to President Clinton. Thus, by wishing away a small and annoying and persistent group of moralists, and by ignoring an inconvenient truth about a trading partner, President Clinton may leave something of a foreign policy legacy after all: a law hamstringing his successor in the conduct of a foreign policy that this president never really much cared about. •

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THE HARD QUESTIONS

Crying for justice

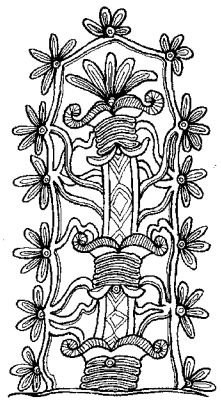
Before sentencing Timothy McVeigh to death, the jury in the Oklahoma City bombing case heard heart-wrenching testimony from survivors and from victims' families. Some say that such testimony, no matter how moving, has no place in the courtroom. Whether a criminal defendant should be put to death should be decided by reasoned reflection on the facts and the law, they argue, and not by the anger and rage that the victims' families rightly feel. Others maintain that victims should have a voice in the punishment a perpetrator receives. If the punishment should fit the crime, they contend, juries must know the full measure of the victims' suffering and loss.

Judge Richard Matsch, who presided over the McVeigh trial, seemed torn between these two positions. While he allowed some victims to testify during the sentencing phase, he ruled out the use of emotionally loaded evidence like poems, wedding photographs and the testimony of a 9-year-old boy whose mother died in the bombing. He took pains to prevent testimony that might "inflame or incite the passions of the jury with respect to vengeance or ... empathy for grief." Such emotions, he said, were "inappropriate in making a measured and deliberate moral judgment as to whether the defendant should be put to death."

The judge's ambivalence reflects competing notions of the purpose of criminal punishment. Those who favor giving victims a voice in criminal sentencing rely, sometimes unwittingly, on two different arguments—one therapeutic, the other retributive. The first treats punishment as a source of solace for the victim, a cathartic expression, a moment of closure. If punishment is for the benefit of the victim, then the victim should have a say in what the punishment is. The therapeutic theory of punishment finds its clearest expression in state laws that invite victims not only to describe their pain and suffering but also to express their opinions of the defendant, making for raucous courtroom scenes resembling daytime talk shows. Texas law even allows victims or their relatives to berate the defendant in open court after sentencing.

But the therapeutic case for victim testimony is flawed. It confuses an effect of criminal punishment (that victims and their families take satisfaction in the outcome) with its primary justification—to give the perpetrator what he deserves. The most compelling reason to allow victim impact statements is a retributive one: to provide the jury with a full account of the moral gravity of the crime. Though we may be aware that 168 people died in the Oklahoma bombing, only those agonizing stories of bewildered toddlers asking plaintively for their mothers convey the full moral measure of the crime.

In the retributive view, victim impact statements are not for the sake of allowing victims to vent their emotions but rather for the sake of doing justice, of getting at the moral truth of the matter. To the extent that emotions distort rather than clarify the nature of the crime, the judge should restrain their role in sentencing.



Though the retributive argument offers the best case for victim testimony, it is open to two apparent objections. First, the use of evidence about the character of particular victims and their importance to family or community implies that some lives are worthier than others. Otherwise, what moral difference does it make whether a murderer kills a beloved parent of four children or an unmarried drifter whose death goes unmourned, a Martin Luther King Jr. or the town drunk? Unless there is some basis for judgments of this kind, it is difficult to explain the moral relevance of testimony about the life or character of particular victims.

Second, even if certain murders are morally more grievous than others, isn't it unfair to give extra punishment for aspects of a crime about which the perpetrator was unaware? If an assailant kills a stranger, should his penalty depend on whether the victim turns out to have been a sinner or a saint? The Supreme Court emphasized this objection in *Booth* v. *Maryland*, a 1987 case that held victim impact statements in capital cases to be unconstitutional. Allowing the jury to consider the victim's character or family circumstances "could result in imposing the death sentence because of factors about which the defendant was not aware, and that were irrelevant to the decision to kill."

The second objection is less weighty than the first. We do not punish murderers only for their "decision to kill," but also for the harm they cause. A would-be assassin whose gun fails to fire receives a lesser punishment than a successful assassin, even though both made a "decision to kill." A drunk driver who kills a pedestrian is subject to a heavier penalty than an equally drunk driver who is lucky enough to kill no one, even though neither made a "decision to kill."

The first objection, on the other hand, is not as easy to dismiss. That the retributive case for victim testimony implies a moral hierarchy among murders (and perhaps also victims) is difficult to deny. The notion of moral discrimination is at odds with the nonjudgmental instinct of our time. But that is not an argument against it. We cannot make sense of our judgments about crime and punishment without some notion of moral discrimination.

Judge Matsch is not the only one wrestling with these competing theories of punishment. The use of impact statements has burgeoned in recent years, prompted by a victims' rights movement and a 1991 Supreme Court decision, *Payne* v. *Tennessee*, that overruled *Booth* and allowed victim testimony in death penalty cases. Most states now accord victims the right to be heard, and Congress included provisions for victim testimony in the 1994 federal crime bill. In March, President Clinton signed legislation that would let victims of the Oklahoma bombing witness the trial even if they were being called to testify. "When someone is a victim, he or she should be at the center of the criminal justice process," Clinton said, "not on the outside looking in."

The increasing concern for victims' rights is a morally ambiguous tiding. It reflects the rising therapeutic impulse in American public life—a defense attorney called victim testimony "the Oprahization of sentencing"—and also the growing appeal of traditional notions of retributive justice. As the therapeutic ethic represents the flight from moral responsibility, the retributive ethic represents the yearning to recover it. The challenge is to disentangle the second impulse from the first. Victim testimony, properly controlled, can serve justice by shedding light on the moral gravity of the crime. But there is a danger in placing the victim "at the center of the criminal justice process." It is the danger, as old as the practice of private vengeance, that the psychological needs of the victim will swamp the moral imperative that the punishment fit the crime.

MICHAEL J. SANDEL

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BOOKS & The Arts

Stanley Kauffmann on Films

The Work of Their Lives

"The way of transgressors is hard," warns the Book of Proverbs. Among those who don't heed this warning are independent filmmakers. They transgress the conventions of mainstream production and distribution, and—Proverbs was right—it is hard for them. High among the persistent transgressors, a stubborn and gifted independent writer-director, is Victor Nunez.

"Independent" can be variously defined, but surely one definition is that the filmmaker doesn't spend much time scouting around for scripts: he or she has personal objectives in mind. For Nunez, the ground is northern Florida: he wants to make films in and about his native heath, in a range of themes. Up to now he has made three such, most memorably *Ruby in Paradise* (1993), a reticently poignant tale about a young woman from Tennessee who journeys to Florida to find a new life. Now Nunez has managed to make his fourth film, **Ulee's Gold** (Orion).

As he has done before, Nunez selected an aspect of Floridian life that particularly touches him, then constructed a screenplay that dramatizes this aspect. Here he has chosen a subject that most of us might think is not pressingly cinematic: beekeeping. Ulee (short for Ulysses) is a beekeeper, in his 50s, and his gold is tupelo honey, although the plot comes up later with another meaning for the title. The film begins with Ulee tending his bees, and we soon hear enough about his occupation to know that it's a tradition in his family and that beekeeping has its own ethics. For Ulee, the high quality of his honey is the spine of his existence. Any suspicion in us of misplaced emphasis quickly evaporates in our analogies with other professions and in Ulee's quiet tenacity.

All this is interwoven with Nunez's evocation of the landscape—the thickness of the green and the silence that is laced only with bees' hum. Lovely. It's only in the drama that Nunez has constructed, to interrupt the idyll, that things go slightly awry. Ulee is a Vietnam veteran and a widower. Two granddaughters live with him, one an adolescent and one younger. His son is in prison, for robbery. His daughter-in-law is in Orlando, the region's big town, slipping down a road of drugs and dissolution. Out of these facts, which in a sense only heighten our belief in Ulee's need for his way of life, Nunez contrives a plot that involves the redemption of Ulee's daughter-in-law and the machinations of his son's two robbery accomplices; they are not in jail and are greedy.

The trouble with this plot is not its credibility but its familiarity. Much of the film has a unique flavor, but then it begins to seep over into commonality with many past crime pictures in which heavies menace good people. Through the last third of the film, we keep wishing that Nunez had found a story as particular as his setting. Seemingly he feels that way, too, because at the end he makes a point of returning to the landscape, relishing it again, as if to say, "This is really what the film is about. The story was just a means to show you this."

A great help to the film is Peter Fonda's performance as the grizzled Ulee, complete with wire-rimmed specs. Only a moment ago, in 1969, he was one of the hippies in *Easy Rider*; not much after that, he directed and starred in *The Hired Hand*, a severely underrated western about the entropy of, let's call it, the Frontier Principle. And here he is, weathered, taciturn, determined, the pillar holding up the universe for the lives around him. Fonda hasn't been much visible lately; I hope this condition changes.

The rest of the cast is adequate. Christine Dunford has the show part, as the drug-racked mother of the girls who goes through the torments of withdrawal. This sort of role is much easier than it looks, but Dunford does it well. As the two youngsters, Jessica Biel and Vanessa Zima fill the house with exactly what's needed, and Patricia Richardson is pleasant as a nurse who, perhaps a shade conveniently, has moved in next door.

Still, flaws and all, we have to be grateful to Nunez for persisting in his independence. "Welcome to Florida, the Sunshine State" is a roadside sign that appears in *Ruby in Paradise*. Nunez has used that phrase in several inflections, and we can hope that there are more to come.

Another film about specialized work in a particular community, different though it is in every possible way. In southeast Iran there lives a nomadic tribe called the Ghashgai, whose chief pride is the

FILMS WORTH SEEING

Chronicle of a Disappearance. *Limited engagements. With luck it will come your way. An Absurdist treatment, by a Palestinian, of life for Palestinians in Israel today. Oddly witty, oddly deep. (Reviewed 6/23/97)* **The Designated Mourner.** *Mike Nichols, as actor, is a perversely strong center in this elegy for a fading civilization. Wallace Shawn's exquisite piece is filmed more or less as it was done in the theater—three people sitting at a table. Haunting. (3/24/97)* **Night Falls on Manhattan.** *But it falls into the skilled hands of Sidney Lumet. A drama of corruption and courage, done with New York street smarts. (6/16/97)* **La Promesse.** *Belgium. Masterly. A 15-year-old city rat is shaken by the virtue of a young African woman amid the city's foreign workers. (5/26/97)*—**SK**

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weaving of carpets from the wool of their sheep. These carpets, called *gabbeh*, are stunning in their dramatic colors and simplicity of images, utterly unlike what we usually think of as Persian carpets. **Gabbeh** (New Yorker) centers on these people and their weaving.

In the last few years Iranian film has come to considerable notice in the U.S., largely through the work of Abbas Kiarostami, a superlative artist. Presumably it is through his impact and his direct support that Mohsen Makhmalbaf is receiving warm attention. This month the Museum of Modern Art in New York is giving Makhmalbaf a retrospective, eleven of his fourteen films to date. The thirteenth, *Gabbeh*, is getting theatrical release.

This is the first of his that I have seen, and he says that it is different from his previous ones. He has been a political dissident, against the Shah, and has been jailed. "For years," he says, "I made political and ideological films that were all dark and grim. *Gabbeh* is my first poetic film."

If "poetic" means nonpolitical and devoted to absolutely magnificent pictures, *Gabbeh* certainly qualifies. With the camera of Mahmoud Kalari, both refined and extravagant, Makhmalbaf ravishes us with vista after vista—plains stretching beyond belief, snow-covered hills like frozen seas with a caravan of sheep and shepherds passing through like a hardy vessel, dark-red rock formations that seem alive with leonine power. There is hardly a composition in the film that couldn't be extracted and framed. *National Geographic*? Yes, but (a) that's no slur, photographically speaking, and (b) Makhmalbaf is not a visitor, he's a compatriot.

The film's trouble, curiously enough, is comparable to Nunez's: the story that Makhmalbaf contrived. It's a tenuous business about a young woman of the tribe who is being pursued by a lover to whom her father objects. This leads to a lot of posing by her, looking toward her mounted lover in far-off profile on top of a hill, until we reach the enforced finale. (Also, running throughout is a sub-theme: an elderly couple finishing a *gabbeh* that, when done, bears an image of the young lovers. The connection between the old folks and the young is muzzy.)

Some operas are enjoyable if we forget about the librettos and just listen to the music. *Gabbeh* is the visual equivalent. •

Robert Brustein on Theater

Homogenized Diversity

It is a melancholy paradox that every idea begets its opposite. Consider how the current rage for cultural diversity in the arts is resulting in political homogeneity and intellectual conformity. The theater provides the most telling examples. It is as if a large majority of American playwrights, directors, actors and producers had all attended the same schools, read the same books, met the same people, shared the same friends, voted for the same politicians, signed the same manifestos, reached the same conclusions.

As a result, we have been breathing the suffocating atmosphere of total consensus over the past decade or longer, whether in the commercial or the nonprofit sectors. (As evidence, read any back issue of the TCG house organ, *American Theater* magazine: its entire contents seem to have been written by the same woolly minded social studies major.) In such a world, all black people are angrily protesting racism; all women are passionately confronting sexist discrimination and sexual harassment; all gays are maintaining an identical nobility, laced with bitchy wit, in the face of desperate battles with homophobia and AIDS; and all white male oppressors are either confessing their guilt or persisting in their wicked ways. Contemporary theater, in short, now features as many stock characters as *commedia dell'arte*, as many familiar faces as a Doublemint ad endlessly multiplied. An art form wholly dependent on the element of surprise is now in the grip of mind-numbing predictability.

Even well-worn modern classics are being shaped to this jelly mold, as witness the current Tony Award-winning production of **A Doll's House** (Belasco Theatre). That many of its cast and its director are British suggests that the problem is not defined by nationality—ideological conformity knows no boundaries. It's not that this particular *Doll's House* lacks surprise. It's just that the surprises are so driven by fashionable agendas. In the act of accepting her own Tony for Best

controversy & clarity

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Actress in the play, Janet McTeer joked that she had originally asked the producers to let her play Torvald. That, as a matter of fact, is exactly what she seems to be doing. The actor who has been cast as her husband (Owen Teale), though relatively virile, is no match for this strapping Amazon. Rather than being terrorized by a domestic tyrant, McTeer looks as if she could break the poor man into pieces over her knee. Perhaps, like Olivier and Richardson in *Othello*, McTeer and Teale ought to consider alternating their roles.

It is no reflection on the quality of her considerable acting abilities to suggest that McTeer has essentially misinterpreted her part. Every new production of a classic, of course, demands a fresh approach. But the reason for rethinking plays is to find one's way back to the author's original intention, often obscured under layers of orthodox piety. McTeer's resolutely ahistorical reinterpretation seems largely designed to illustrate how a powerful woman can shatter glass ceilings.

Claire Bloom played Nora, quite properly, as a highly intelligent woman forced to act the mindless little squirrel whenever she had to ask her husband for a little pocket money. By kneeling and begging, her paws extended, she managed to shame every man in the house. McTeer's effect on male audience members (if my own reaction is typical) is to raise their anxiety over her mental balance. At times I suppressed an impulse to rush to the nearest drug store and fetch her some Valium. Giggly, hysterical, hyperactive, nervously fiddling with her blond wig, riddled with crochets, tics and nerves, biting her nails, McTeer comes on less as a woman in need of self-realization than a neurotic in need of group therapy. Strindberg would have adored her. She's the perfect realization of all his neurasthenic heroines, of what he called "the third sex." Strindberg might even have revised his sour view of Ibsen ("that Norwegian bluestocking") had he been able to watch McTeer transform Nora into his own Miss Julie.

It is true that Krogstad's threat to expose Nora's forgery plunges the poor woman into a state of dithers. But McTeer shows nervous symptoms from her very first entrance. By the time she gets to her Tarantella dance she's almost ready to be committed, screaming like a banshee, hurling the tambourine, bouncing off the scenery. Torvald describes this dance as "too reckless, strictly speaking, it went beyond the bounds of art." He might have been characterizing McTeer's entire performance.

McTeer's final declaration, however, is a disciplined exception to the general twitching, being quiet, controlled, determined. She plays the scene as if it were the culmination of a serious emotional crisis, the kind that leads to a separation agreement. Still, McTeer's Nora would never have left her house or abandoned her children. She would have kicked her husband into the street and contacted a tough divorce lawyer. When she slams the door on her way out (here this famous slam is also anticlimactic because the set is ill-designed), she has not persuaded us that she will try to realize herself through an independent life. She seems to be slamming the door, rather, on what's left of her husband's private parts.

Happily, a few plays have recently opened that refuse to cater to ideological expectations. One of these is Jonathan Reynolds's bravely conceived, wittily written, and imperfectly crafted, **Stonewall Jackson's House** (American Place), a satire-within-a-satire on the whole sham of political correctness in the nonprofit theater. In the first act, a black woman begs a white couple to take her home as a slave. In the second, she reveals herself to be the defiant author of the mindboggling play in which this event occurs, simultaneously exposing her white theatrical colleagues as liberal frauds. Another source of agreeable surprise is Paula Vogel's **How I Learned to Drive** (Century Theatre). In *Hot 'n Throbbing*, an earlier play not yet seen in New York, Vogel scandalized some feminists by creating a pornographer who was not only decent of heart but female of gender. In her new play, she is even more incendiary, conceiving a victim of sex abuse who actually comes to love her abuser. Despite its subject matter, *How I Learned to Drive* is neither a polemical play nor a feminist tract. Rather, it is a strange exotic love story—*Lolita*, with Humbert Humbert as Lolita's uncle.

It was e.e. cummings, I believe, who first thought of stick-shift driving as a metaphor for sexual performance. For the pubescent heroine, Li'l Bit, learning to drive is also equivalent to initiation into the mysteries of erotic experience. ("Idling in the Neutral Gear," "Driving in First Gear" are some of the suggestive scene headings.) Li'l Bit is actually introduced to these mysteries by her Uncle Peck, who has been in love with her since she was a baby. Stuck in an unsatisfactory marriage, Peck is slowly drinking himself to death. His only salvation is his passion for Li'l Bit, to whom he actually proposes not only sex but marriage. ("You've gone way over the line," responds the more grounded Li'l Bit. "Family is family.") Curiously, the word "incest" is never uttered in the play. Peck seems more worried about her tender age than their blood ties. Touching her body, examining her breasts, he postpones any attempt at full union until her eighteenth birthday (he is then 45), when he will no longer be guilty of statutory rape.

As the play moves along from 1962 to the present, weaving back and forth in time, Vogel creates a sweet lyric tonality, heightened, after Peck's death, by Li'l Bit's final speech. She is 35 now, driving her own car with authority and control. Peering in the rear mirror, she sees the ghost of Peck in the back seat. When she repeats the instructions that he taught her, she enters a state of true transcendence. The car is moving smoothly along the road—"and then," she adds in the wonderfully elegiac tone that pervades the entire play, "and then I floor it."

This is a moving culmination of an exquisitely modulated production, sensitively directed by Mark Brokaw. And it is tenderly acted by Mary-Louise Parker as Li'l Bit and David Morse as Peck. Morse—gray-haired, rugged, plagued by inner demons—maintains pretty much the same age throughout the action. But Parker brings her character through a variety of subtle changes from shy teenager to mature woman, and wallops us with the depth of her feeling. Despite the explosive subject matter, there isn't a sententious moment in the entire evening. Effortlessly, Vogel moves her characters out of the provisional world of morality into the timeless world of art.

Moisés Kaufman's **Gross Indecency** (Minetta Lane Theatre) does precisely the same thing. The conflict between art and morality, in fact, is the play's theme and subject matter. Subtitled "The Three Trials of Oscar Wilde," *Gross Indecency* manages to turn relatively familiar material—the trials and imprisonment of Wilde on charges of sodomy and pederasty (the judicial British euphemism is "gross indecency")—into a damning indictment of the way that government tries to regulate our private lives.

Under Kaufman's dynamic direction, a strong energy drives this play, from the moment Wilde decides to arraign the Marquess of Queensberry ("the most infamous brute in London") for calling him a "posing Somdomite" [sic] to the day of his death after serving two years in Reading Gaol. Wilde's relationship with Queensberry's son, Lord Alfred Douglas ("Bosie"), had enraged the Marquess, and Wilde, on the crest of his fame as a popular dramatist, conceived the bad idea, encouraged by Bosie, of bringing the Marquess to trial for libel.

Ultimately, of course, the strategy was bound to backfire, and Wilde found himself in the dock—indicted not only for his relations with Bosie but also with a number of young working men in Lon-

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don. Wilde never regarded these encounters as acts of unlawful behavior. He believed that they were extensions of a special sensibility shared by Socrates, Plato and many Renaissance artists. As a modern commentator points out during a break in the action, the trial was the first to treat the modern homosexual as a social subject, even though Wilde (anticipating Roy Cohn in *Angels in America*) didn't consider himself a homosexual but a man who loved sex with other men. Wilde didn't believe in separating his erotic longings from the aesthetic side of his life. But that was the source of his tragedy—that he tried to turn morality into art during an age that preferred art to be an extension of morality.

One of the powerful things about this play is the way it subtly suggests that such constraints are not confined to the Victorian age. The continuing conflict between artistic expression and family values is, of course, at the very heart of the recent congressional unpleasantness over Mapplethorpe, Serrano, Karen Finley and the NEA. At his trial, Wilde predicted that "the world is growing more tolerant. One day you will be ashamed of your treatment of me." He was only half right. Today's press may display more sympathy toward homosexuals than did the jackals of Fleet Street, but not much has really changed. Even in our more permissive time, when what Wilde called "the love that dare not speak its name" has grown a little hoarse from shouting it, the Puritan impulse to impose its prohibitionist will on the private lives of citizens remains as insistent as ever. The flap over adultery in the military is only the latest absurdity.

As depicted in this play—and as poignantly interpreted by Michael Emerson in a performance that perfectly captures his arrogance and innocence—Wilde represents a flawed but inspired artist brought to his knees by people who refuse to recognize the rights of privacy or to respect the twists of idiosyncratic behavior. The depressing thing is that, almost 100 years later, the same winds are chilling individual freedom, not just from the benighted conservative Establishment, but from its enlightened opponents on the liberal left as well. •

Devotion and Hostility

BY JONATHAN SPENCE

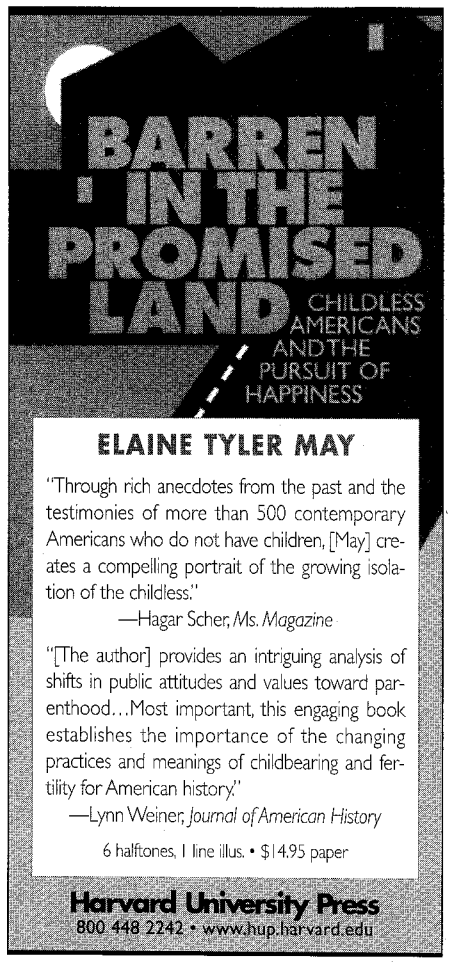
The Courage to Stand Alone: Letters from Prison and Other Writings by Wei Jingsheng edited and translated by Kristina M. Torgeson

(Viking, 283 pp., $23.95)

On December 2, 1981, Wei Jingsheng memorialized the end of his second year in jail by addressing a letter to the Central Committee Secretariat of the Chinese Communist Party and the Legal Affairs Committee of the National People's Congress. His letter started quietly, with mock humility. Wei apologized for troubling such busy people with his own trifling concerns. But would it be too much, he asked, for him to be allowed a few books to read? It was not that the camp authorities were hostile to books, of course, it was just that they didn't have many around, and didn't know Wei's tastes. But his brother and sisters knew what he liked to read and would be delighted to forward some reading matter to him. Since these siblings were good party members, the gesture should offer no problems to anyone. Admittedly, such requests to the authorities in the past had always gone unanswered, but there was no harm in trying again.

As a good Marxist, Wei continued, he was aware of Marx's dictum that "man's social being determines his consciousness." Still, as he thought through the significance of that idea, it occurred to him that it had a remarkable similarity to the remark of Goebbels that lies endlessly repeated take on the form of truth. Perhaps what one had here was the possibility of a creative new synthesis, parallel in its way to the force-feeding of ducks, or the teaching of speech to mynah birds.

In several pages of comment, Wei then shared his thoughts with the party leaders on class background, political judgment, the meaning of love and the definition of "humanity." Was it not even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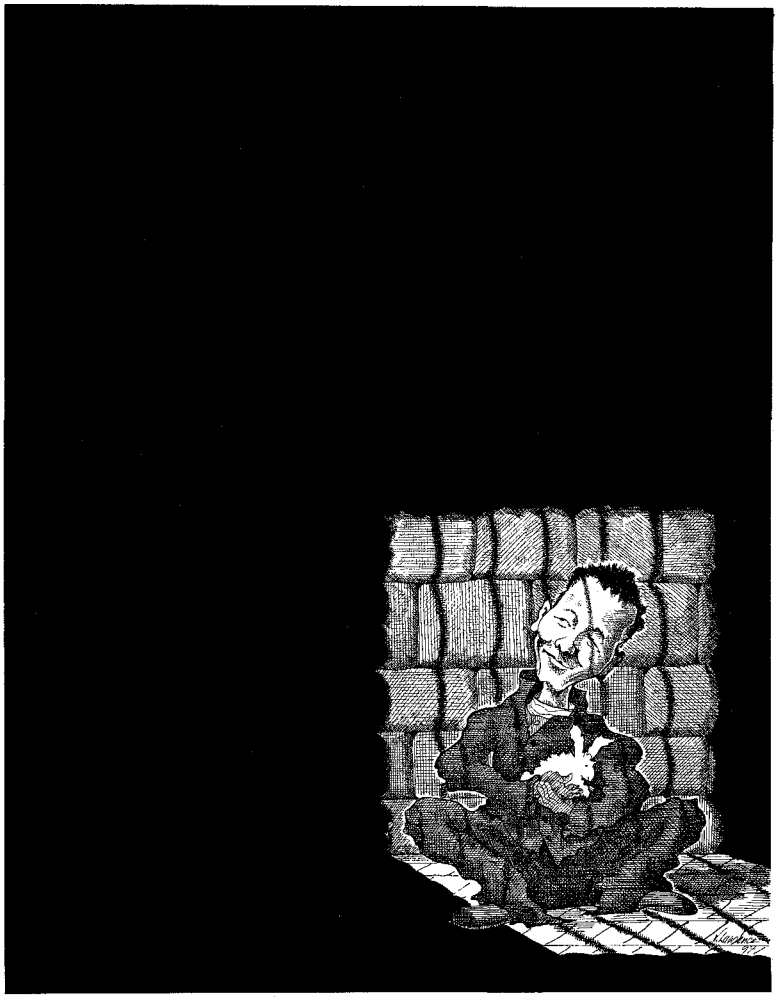
possible, he mused, that some of the very figures to whom he was addressing this letter had "defected from the exploiting classes or enemy forces for the side of progress," and that a person's integrity and sense of justice were not completely determined by the class he was born into? Was there not something hypocritical about such discriminations, reminiscent of "trying to feed starving people with the ashes from a Buddhist temple?" There were thin lines indeed between prodigal sons and scapegoats, and those who still praised Mao as a "great leader" after all they had been through were perhaps not so different from Lu Xun's famous fictional character Ah Q., of the 1920s, who "mistook the master's slap for a sign of affection." Did the Chinese people really need so many "bumps and grinds on the road to happiness?" As he drew his letter to a close, Wei confessed that he knew writing like this would not do him any good, but he felt unable to stop writing. "Even I realize it's foolish to scratch a tiger's ass."



WEI JINGSHENG BY VINT LAWRENCE FOR THE NEW REPUBLIC

Why, then, does Wei continue to do just that? All he had to do was express contrition for a few crimes that he had not committed, or just shut up. The answer surely lies in the combination of feistiness, integrity, intellectual curiosity and implicit faith in the validity of democratic inquiry that lie at the center of Wei Jingsheng's nature. It is this mixture of traits that has elevated Wei to the status of China's best-known political dissident, and apparently has made him so feared by China's leaders that they can see no solution but to keep him permanently locked away.

Wei Jingsheng came to his hero's status by a circuitous route. In a clear and detailed appendix to this collection of Wei's letters, Sophia Woodman gives us most of the details that are currently known about his early life. Wei was born in Beijing in 1950, to parents whose past commitment to the Chinese revolution had made them members of the new party elite. His father was an official in the Civil Aviation Administration, his mother had a job in the Ministry of Textiles. Their holding of such posts meant that Wei was educated in the elite Beijing schools that were reserved mainly for cadre children, while his father's habit of bringing home the restricted-circulation publications recounting foreign news and analysis enabled Wei to gain a good knowledge of the world beyond China.

Caught up in the euphoria of the Red Guard movement in 1966, Wei traveled widely in China as so many "revolutionary youth" did at that time. Unlike most of his contemporaries, however, he seems to have been overwhelmed by the evidence of China's backwardness and poverty that he saw on his travels. He continued to reflect on how China could have ended up in such a condition under Communist Party rule as he worked in different areas, first in the army between 1969 and 1973—he rose to be squad commander—and then as an electrician in the Beijing zoo. Wei also fell in love with a young Tibetan woman, a love that introduced him to further dimensions of China's problems: the racial intolerance that led his parents to refuse to countenance his marriage, the political intolerance that had led to the arrest and imprisonment of his girlfriend's father and to the suicide of her mother. It was in this emotional context that Wei joined the crowds at Tiananmen mourning Zhou Enlai's death in the spring of 1976, a mourning ceremony that developed into China's first spontaneous major demonstrations against the repressive policies of the Communist regime itself.

These complex early influences and experiences did not make Wei Jingsheng into a major theorist, or a major scholar, or a major writer. But they led to his maturation as a man who could hold to a set of ideas with remarkable courage and tenacity. The ideas that came to dominate Wei's life hinged around his belief that China needed some form of democracy if it was to realize its full potential as a nation, and that Marxism-Leninism-Maoism was incapable of providing that force. When Deng Xiaoping used all his influence, in October 1978, to propagate the idea that China must have "Four Modernizations" in the fields of science, military technology, education and industry if it was to grow into a powerful modern nation, Wei added his own stunningly simple yet emotional coda. Democracy was the "fifth modernization," he wrote in December 1978 on a lengthy wall poster that was later published in an informal journal that he edited with friends, without which the other four were meaningless and unobtainable. By contrast, the legacy of Marxism that had been handed down by the Chinese Communist Party was a blinkered one that had produced only a new kind of tyranny. The Chinese people were capable of better things, and the party should trust them to experiment and find a surer way to their own future happiness.

For writing and circulating such thoughts—and on the additional trumped-up charge of betraying "state secrets" to foreigners—Wei was arrested in 1979 and condemned to fifteen years in prison. He had served almost the entire sentence when he was suddenly released in late 1993; his release was clearly ordered by the party leadership as

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a belated attempt to dampen criticism of China's human rights abuses as the vote approached on the venue for the Olympic Games in the year 2000, which China desperately wanted to host. Wei used his brief period of freedom to continue his scratching: he met with some prominent activists of the 1989 democracy movement, recontacted his old fellow activists from 1978, gave interviews to foreign journalists and allowed some brief essays to be published in the foreign press. But when he consented, in February 1994, to meet with John Shattuck, the assistant secretary of state for human rights, Wei was rearrested. After a lengthy period of secret incarceration, he was sentenced at a closed trial in 1995 to a further term of fourteen years in prison, where he remains as of this writing, with twelve years still to go.

Though Wei's writings on the Fifth Modernization have been available in English translation since the late 1970s, along with some of his analyses of the Chinese system of political prisons as "the new Bastille," his writings from prison were not available in any language. By collecting a broad selection of these letters together, along with the text of the important "fifth modernization" essay, Kristina Torgeson and her collaborators have given us a completely new view of Wei Jingsheng in the round. What we knew of Wei before came almost entirely from his polemical writings in the 1978-79 period, all of which were in the form of political pamphlets, on strictly focused themes. The prison letters, by contrast, present a many-sided Wei, one in which all of us are able to recognize sides of ourselves.

The strength of these letters is that they force us to confront the stupidity of the mindless coercion used by the Chinese authorities. They enable us to see Wei not as an obvious hero but as a reluctant and willful survivor: longing for his family, missing his friends, suffering from illness, hunger, toothache and tooth rot, numbed by back pains and sinus illnesses, yet still scratching away at that tiger, whatever the costs might be. His letters are sometimes wonderfully funny and pugnacious, especially those to Deng Xiaoping, and they show an extraordinary recklessness and candor. Thus Wei begins a letter of June 15, 1989, when news of the massacre that followed the massive Tiananmen democracy demonstrations had filtered into his prison, with these words: "Dear Deng Xiaoping: So, now that you've successfully carried out a military coup to deal with a group of unarmed and politically inexperienced students and citizens, how do you feel?" And four months later, Wei closes another long letter to China's "paramount leader" with this passage:

> I wish you good health! I hope that you will go on living so that one day we can finally meet. Up until now I haven't had the chance to greet my dear old friend and have a heart-to-heart chat with him! Please don't disappoint me. An old person like yourself should really take an early retirement and let the younger generation look after things. Otherwise, I don't know whether I will have the opportunity to meet with my old friend or not. Take care of yourself.
>
> Wei Jingsheng, Nanpu Salt Works.

Other letters, especially those to his own brothers and sister, are heartbreaking in their very ordinariness: his emotions after deciding to persuade his Tibetan friend to formally end their relationship, which could bring her nothing but disaster, his attempts to keep pet rabbits fed and alive in his freezing cell, his requests for books and magazines and tapes of current music, his memories of their shared childhood. There are also many passages in which he talks at length of politics, to his siblings and to China's leaders, but these are usually simply expressed. The reader will find here few of the philosophical and rhetorical insights of Havel's *Letters to Olga*, since Wei had neither Havel's education, nor Havel's range and subtlety of expression, nor Havel's comparatively lenient prison treatment. But what emerges in full measure from Wei's prison letters is the power of his will, his determination to hold on to one great thing, and not to let it go, his passion for holding to simple and personal belief in a simple and personal political truth: that people should be able to make their own political judgments without coercion, and that if they are denied that right they should complain, and continue complaining, even if no one is listening.

In his new incarceration, Wei seems for the moment to have been forced into silence. The admirably presented commentaries in this volume by Liu Qing and Sophia Woodman describe how Wei's jailers have dreamt up fresh torments for him, and are making sure that he neither reads nor writes any more. But hedgehogs are hedgehogs, and Wei has made his point in a way the foxes never could. The drive to get him the Nobel Peace Prize failed in the past two years, but I hope that people will keep trying. No foreign governments seem willing to pursue Wei's case with any energy, and President Clinton has given up linking China's treatment of dissenters such as Wei to the conduct of America's economic policy. But the issue is not going away, and one

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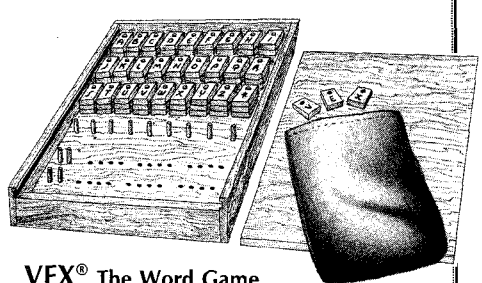

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hopes that as many political and intellectual leaders as possible will continue to raise Wei's cause with China's leaders. One need not stop pushing to redress injustice merely because those currently in power in China get irritated. As Wei wondrously put it in signing off a letter to the Chinese Communist Party General Secretary on October 1, 1982, he is, after all, "your most devoted hostile element."

JONATHAN SPENCE teaches modern Chinese history at Yale University and is the author, most recently, of *God's Chinese Son: The Taiping Heavenly Kingdom of Hong Xiuquan* (Norton).

Hidden Injuries

BY ALAN WOLFE

Contempt and Pity: Social Policy and the Image of the Damaged Black Psyche, 1880-1996 by Daryl Michael Scott

(University of North Carolina Press, 269 pp., $39.95)

What are African Americans like? A society committed to the principle that everyone is entitled to the same moral dignity ought to answer that question quickly—they are like everyone else—and then go about the business of ensuring justice. Race being what it is in America, however, social scientists and policy experts have never been able to offer a simple and straightforward defense of the proposition that black Americans are human beings the way all other Americans are human beings; or so Daryl Scott has established in his impressive and important book.

There have always been those who refused to commit to the principle of moral equality. Although it is all but forgotten now that the social sciences are associated with racial liberalism, a significant strain of academic opinion in the years between 1880 and 1920 held views to the effect that blacks were less than equal to whites. The psychologist G. Stanley Hall thought of blacks as "naturally cheerful," a view that enjoyed wide support in Progressive America. Other writers discussed segregation roughly as a form of quarantine: for the good of the body politic, some people had to be isolated so that their pathologies could be more efficiently treated. It should not take a presidential apology to the victims of the Tuskegee experiment to remind us how recently it was that one group of Americans was singled out for second-class status based on the idea of race.

What is surprising, and what gives Scott's book its bite, is that notions of black inferiority triumphed among liberals, especially those who thought that they were advancing the cause of racial equality. Unlike conservatives, liberals did not believe that African Americans were unlike the rest of their countryman in any innate sense. Yet they did argue that social conditions—first rooted in slavery, then in segregation, and finally in poverty—had damaged the black psyche in ways that made African Americans different. Liberals cannot be accused of indifference to principles of moral equality, for they clearly believed that, with improved social circumstances, blacks and whites would one day be equal; but their reliance on images of damage, as Scott argues, was an effort to invoke not solidarity, but pity. And pity, even when it is well-intentioned, is never far from contempt.

Racial conservatism has its roots in biological and eugenicist thought. Liberal theories of racial damage, by contrast, grew out of a twentieth-century concern with the impact of social environments on individuals. In 1899, in *The Philadelphia Negro*, W.E.B. Du Bois (from whom Scott derives the title for his book) wrote that slavery and emancipation left many black Americans in a state of "ignorance, lack of discipline, and moral weakness." Du Bois called for social scientists to engage in a massive program of research and advocacy on behalf of black inequality. At the time that he wrote, few were prepared to listen. Still, the history of the treatment of race in American social science since Du Bois can be understood as an effort to fill in the frame that he established.

In 1928, Robert Park proposed the theory of the marginal man. Developed mostly to account for the experience of immigrants in the United States, the notion of marginality assumed that there were tremendous psychic costs for those leaving behind one culture in order to adopt another. One of those costs involved self-hatred. Kurt Lewin, an eminent psychologist and an émigré scholar from Germany, advanced the idea that those who leave their original group furthest behind—highly assimilated Jews, for example—rationalize their accommodation to a new culture by finding their former one unattractive and unenlightening. It did not take much imagination to apply the same idea to blacks. Scott shows how social scientists such as W. Lloyd Warner, Allison Davis and John Dollard adopted marginality theory to explain the anomalies of middle-class black life in the South. An even better example comes from a dissenting opinion written by Justice Thurgood Marshall in 1977 (it is cited by Randall Kennedy in *Race, Crime, and the Law*): "Members of minority groups frequently respond to discrimination and prejudice by attempting to disassociate themselves from the group, even to the point of adopting the majority's negative attitudes toward the minority. Such behavior occurs with particular frequency among members of minority groups who have achieved some measure of political success and thereby have gained some acceptability among the dominant group."

For a time, ideas rooted in social psychology had relatively little impact outside the narrow group of scholars who advanced them. When Gunnar Myrdal left Sweden for the United States in 1938 to supervise the research for *An American Dilemma*, he was, like a proper Social Democrat from Sweden, far more interested in material conditions than in the state of the psyche. Still, Myrdal was nothing if not eclectic. Robert Park's Chicago School approach to sociology had significant influence on the work of Charles Johnson and E. Franklin Frazier, both of whom, but particularly the latter, had emphasized the psychological damage done to the black family under conditions of urban poverty in Northern cities; and Frazier's work, Myrdal wrote, "is such an excellent description and analysis of the American Negro family that it is practically necessary only to relate its conclusions to our context and to refer the reader to it for details." Although Myrdal made an effort to defend the black family, in endorsing Frazier he was also endorsing the idea that matriarchal families were deviant from the American norm. It is no wonder that the term "underclass," which came in for its share of controversy in the 1980s, can be traced to Myrdal.

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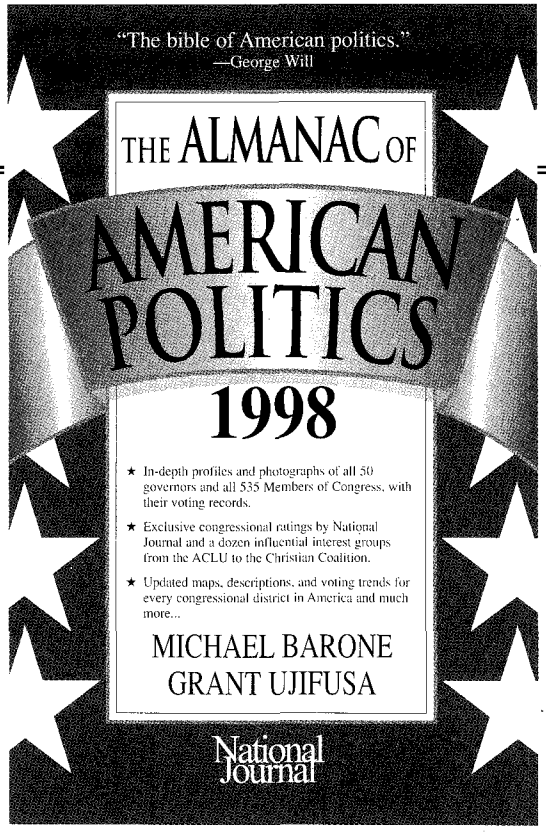
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Nor could Myrdal ignore the impact of European scholars who arrived in the United States conversant with psychoanalytic and anthropological perspectives. The period in which social scientists began to pay significant attention to race was also a period in which ideas about culture and personality came to dominate the social sciences. Typical of the time was *The Mark of Oppression*, by Abram Kardiner and Lionel Ovesey, which appeared in 1962. Kardiner was one of Freud's analysands, and like the master he showed no qualms about making dramatic generalizations about human personality. Determined to combat the idea that matriarchal families were in any way pathological, Kardiner argued that black females were not averse to "Victorian morality." Still, Kardiner and Ovesey concluded that the black family was fatally flawed. Black males, growing up in female-dominated households, found themselves in a situation of "frustrated dependency and hostility" toward their mothers. The result was an emasculation of the black male. For black men, as Scott writes, powerlessness was now associated not with the workplace, but with the bedroom. Racism caused, if not impotence, then sex without pleasure. And that, in turn, caused what we now describe as a lack of self-esteem.

And from a lack of self-esteem, it was a short step to rage. The influence of the Chicago School on Richard Wright has long been understood, but Scott shows that we have failed to appreciate the influence of the novelist on the social scientists. Bigger Thomas, the hero of *Native Son*, is the chauffeur for the rich and radical Mary Dalton. Driving her home after she gets besotted at a party, Thomas puts her to bed, all the while imagining what it would be like to have sex with her. Disturbed by the entry of Mary's blind mother, he inadvertently kills Mary, only to find that the act liberates him, freeing him from "an invisible burden he had long carried." At his trial, his lawyer, long before William Kunstler, offers the "black rage" defense: "The hate and fear which we have inspired in him, woven by our civilization into the very structure of his consciousness and into his blood and bones, into the hourly functioning of his personality, have become the justification of his existence."

Novelists conjure up from the tumult of their imagination characters who tell us something about ourselves, but social scientists cannot treat those characters as if they really are ourselves, as if they are real people, the subjects of a sociological study or a psychoanalytic session. But that is exactly the way Bigger Thomas was treated by the psychiatrist Helen McLean and the sociologist Horace Cayton. Praising Wright for the "authenticity" of his portrayal of the black psyche, McLean can be understood as a precursor of the "larger than truth" school of race relations, those who find that imagined accounts of black experience have more credibility than those that describe things that actually happened. Cayton, the co-author with St. Clair Drake of the sociological classic *Black Metropolis* (1945), for which Wright furnished an introduction, came to believe that, because he hated and feared white people, he had become Bigger Thomas.

In retrospect, it seems clear that if the psychoanalytic tradition had not come to America, we would have gone to it. With enough jargon and medical terminology to seem scientific, psychoanalysis also enabled racism's theorists to generalize from one or two cases to the race as a whole. No wonder that when the quintessential book about black anger came to be written, it was two black psychoanalysts, William H. Grier and Price M. Cobbs, who wrote it. "If blacks are often frightened, consider what frightens them and consider what happens when they feel cornered, when there is no further lie one can believe, when one finally sees that he is permanently cast as the victim, and when finally the sleeping giant awakes and turns upon his tormentors." So went the message of *Black Rage*, which appeared right on time in 1968. It was not just Horace Cayton who had become Bigger Thomas: all black men, choking with the hatred of whites imposed on them by racism, were potential murderers, seeking, at least symbolically (and a few of them in reality), to wreak revenge on their white tormentors.

One final transformation in the culture of social science was required before the image of the damaged black psyche could be completely filled in. Taking up Du Bois's call, social scientists would have to drop their pretensions toward objectivity and become explicit advocates of the need to counter the effects of racism on black Americans. The venue for their change of heart was *Brown* v. *Board of Education* in 1954, the Supreme Court decision which, in seeking to overturn legal segregation, relied on social science findings to establish the harm done to black children by segregated schools.

Scott's chapter on *Brown* is a brilliant treatment of how good intentions can have perverse consequences. When the Court had upheld segregation in 1896, the psychological state of Homer A. Plessy, the all-but-white black male who challenged legal segregation, was never an issue. By the 1950s, however, the therapeutic ethic had transformed America, leading Robert L. Carter, then a lawyer for the NAACP, to search for a way to demonstrate that segregation had intangibly negative effects on black Americans. Here, according to Scott, is what Carter would have had to prove to make his point: "The plaintiffs had to demonstrate first, that black children had damaged psyches; second, that the damage flowed from the schools rather than from their families or social discrimination at large; and third, that the damage to their psyches adversely affected their ability to learn."

Anyone who knows anything about social science will realize that establishing even one of these propositions—and even then with only reasonable certainty—was beyond the capacity of social science in 1950 (and now). Had they practiced what they preached, the leading social scientists of the day could only tell Carter what they told each other in their academic journals: we can establish only tentative correlations; all our results are not generalizable; cause and effect are impossible to ascertain; all our conclusions must be provisional. Kenneth and Mamie Clark knew that their studies of the way black children reacted to black dolls was insufficient for Carter's needs. Not only was their sample small, but black self-hatred, as they defined it, was greater among children who attended integrated schools than among those who attended segregated schools. And yet the Clarks, who at one time had rejected theories of black self-hatred, were persuaded that the cause of overcoming legal segregation was more important than fidelity to the methods and the limitations of social science.

Many other social scientists convinced themselves of the empirical fact that segregation was bad for black children when almost no social science findings on the matter existed. A survey of 849 social scientists conducted in 1948 by Max Deutscher and Isidor Chein revealed that 90 percent believed that such was the case. Leading social scientists such as Paul Lazarsfeld and Robert K. Merton, who had been instrumental in proclaiming sociology scientific, signed a brief to the Supreme Court testifying to the harmful effects of segregation. As Scott writes, "postwar social science was virtually a one-party state in favor of the racial liberals' goal of desegregation."

Defenders of legal segregation, by contrast, mobilized very little social science research. Henry Garrett, a professor of psychology at Columbia, offered evidence in a Virginia case, but he was

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an old-fashioned segregationist and actually had little to say. Had they wanted to find evidence that segregated schools were not harmful to blacks, segregationists might have uncovered studies by black social scientists in the interwar years which argued that black public schools could strengthen black identity. But the other side in *Brown* was contemptuous of social science: "I can only say that if that sort of 'fluff' can move any court, God save the state," said John W. Davis, the famous lawyer hired to defend segregation before the Court.

Not all the judges on the Supreme Court were persuaded that *Plessy* ought to be explicitly overruled. But Earl Warren, the Chief Justice, was determined to produce a unanimous opinion, and he needed language that could win over the skeptics. Social science could serve the cause of unanimity in two ways. For one thing, the reliance on social science gave Warren a way *not* to transform *Brown* into a ringing declaration of human rights; his opinion reads more like a journal article than a pamphlet by Paine. In addition, Warren could respond to conservatives who admire precedent by suggesting that the court was not so much declaring *Plessy* wrong as incomplete. Segregation in 1896, Warren implied, was not the same as segregation in 1954, because we know now, as we did not know then, what effects segregation had. "Warren," Scott concludes, "had crafted a psychiatric appeal that subtly but effectively conveyed the plight of the victim without censuring the guilty."

After *Brown*, the history of racial politics in America was shaped first by the Civil Rights Act of 1964 and then by one form or another of affirmative action. Conservatives often view these policies as in tension with each other: the former committed to color-blindness, the latter to an open acknowledgment of race. That may well be true, but if I read Scott correctly, there is no necessary contradiction between affirmative action and *Brown*. By introducing sociological data, and by stressing the empirical harm to African Americans from segregation, *Brown* put results ahead of jurisprudence in roughly the same way that affirmative action justified the need for radical measures to diversify American institutions. Affirmative action is inevitably linked to an acceptance of the idea of black damage.

Despite this association, Scott spends very little time on affirmative action. This is disappointing, since everything in his historical narrative seems to lead to his conclusion: "The racial liberals who sought to manipulate the paternalistic tendencies of whites may not have been racists and the dupes of racists, but many were all too willing to exchange black dignity for something other than justice, for social policies that reinforced white America's age-old belief in black inferiority. In the postwar era, manipulating the therapeutic was a major flaw in racial liberalism." Listening to the way in which colleges justify affirmative action these days, one hears all the contempt and the pity one needs.

Scott has an honorable motive for not identifying himself with those black conservatives who question affirmative action. He wants the crucial dividing line to run not between left and right, but between those who accept the view that to be black is to be damaged and those who do not. One can find left, right and center on each side of that divide. Andrew Hacker, Daniel Patrick Moynihan and Charles Murray all belong to the damage camp, while on the other side are liberals challenging the concept of a culture of poverty and black nationalists insisting on racial pride. After following Scott's chronicle of liberal condescension, I find myself sympathetic to his insistence on the positive resources that black Americans, even when desperately poor, can bring to their situation. But there is a problem. His effort to redraw the map of racial politics introduces a myopia of its own.

Sometimes the audience whom one is addressing is more important than what one says. As early as 1961, Whitney Young, as he took over leadership of the Urban League, relied on the image of the emasculated black male to justify what we would later call affirmative action. That puts him in Scott's camp of damagists. Yet Young was talking to other blacks, and he was asking for a certain honesty in their discussion of race. Black leaders, he urged, "should tell the truth about our own community. We know about the crime rate. Why lie about it? We know about family breakdown. Why say it ain't so?" When great efforts are made to deny the fact that some people in our society really are damaged, there is nothing wrong with making use of damage imagery. Indeed, it is a matter of intellectual honesty.

Scott fails to appreciate that stressing the positive in the face of the negative can be a form of therapeutic politics more harmful to those living in poverty than anything advanced by the Freudians of the 1940s and 1950s. His admiration for white and black liberals who refuse to accept arguments about a culture of poverty, and who insist that the worst-off Americans live by the same moral code as everyone else, is palpable. But the notion that drug dealers are just typical American venture capitalists is just another version of feel-good individualism. And a substantial part of the appeal of black nationalism is explicitly therapeutic. Louis Farrakhan has more in common with Stephen R. Covey and Tony Robbins than with Whitney Young or Martin Luther King. If we believe in racial equality, we should condemn those who manipulate black pride in the same way that we condemn those who manipulate white guilt.

But Scott does no such thing. When he writes about black nationalism, his accusatory prose turns into academic mush. "The need to oppose damage imagery became an important factor in the rise of black studies as a separate field of research," he writes, as if that single motive absolves such programs from their all-too-often sloppy work, demagogic leadership, and double standards. "At universities across the country, most notably Northwestern and Cornell, black students promoted the goals of the Black Power movement." At Cornell, they did so with guns, initiating a politics not of contempt and pity, but of fear and intimidation. To make blacks proud of their psyche, they had to make whites afraid for their lives.

Scott needs to decide what he dislikes more, racism or therapy. If his call is for a politics of honesty in which we treat each other as dignified individuals with fully formed motives and desires, then he must understand also that we owe each other a language of authenticity. And that means, in turn, that one can be honest without being patronizing. (This is a fair characterization, I believe, of Ralph Ellison's views, even if Scott tends to include Ellison in the damage camp.) Avoiding damage imagery is one criterion, but it is not the only criterion, by which we ought to judge our discourse on race.

If we keep that in mind, then we will not conclude, as Scott does, that "the emerging consensus within the social science community that blacks are damaged only reinforces the hegemony of neo-conservative ideology and widens the opening for even more conservative initiatives." We might even conclude the opposite. The fact that so many social scientists are finally prepared to let empirical data speak to the awful conditions of life among the poorest Americans, many of whom are black, means that a genuine politics of respect may soon be able to dislodge a manipulative politics of emotion. The trick is to acknowledge damage without evoking contempt. That is the hard first step in forging a moral equality based not on pity, but on solidarity. •

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The Indigenous Berserk

By Robert Boyers

American Pastoral by Philip Roth

(Houghton Mifflin, 423 pp., $26)

In Philip Roth's new novel, his alter ego, Nathan Zuckerman, alludes in passing to a once famous writer now largely forgotten, whose "sense of virtue is too narrow" for contemporary readers. The writer, no doubt about it, is Bernard Malamud. And what is it that passes for virtue in Malamud? In *The Assistant*, a grim and slender novel, the Jewish groceryman is eulogized as "a man that never stopped working ... to make a living for his family," a man who "worked so hard and bitter," so that for his family there was "always something to eat." Morris Bober was "a good provider," the rabbi says, and, "besides," he was "honest." He assumed responsibilities. He showed up. He is to be venerated, without exaggeration or ceremony.

It is a narrow sense of virtue, to be sure, and not at all peculiar to Malamud among American Jewish writers. Saul Bellow, too, a provocateur who writes in a racy, unstable idiom and sometimes expresses a venomous antipathy toward the milder emotions, nonetheless swells with admiration for those who show and claim affection, who know, as we used to say, how to behave. "I saw now what I had done," says the narrator in Bellow's novella "Cousins": "treated him with respect, observed his birthdays, extended to him the love I had felt for my own parents. By such actions, I had rejected certain revolutionary developments of the past centuries, the advanced views of the enlightened, the contempt for parents illustrated with such charm and sharpness by Samuel Butler...." Susceptible to the allure of subversive ironies and modern ideas, the Bellow protagonist is still responsive to what he calls "the old thoughtfulness."

The narrow virtues have often seemed narrow precisely because they were thought to require little thought. Often they have seemed feeble and gray because they were believed to entail no struggle, no weighing of choices. Habit, it is often felt, is the paralysis of spirit. Ordinariness is the negation of virtue. What is dull and dutiful and comes more or less naturally is not to be prized. But Malamud and Bellow (and in this they were not altogether alone) hoped to identify in the ordinary activities available to any decent and thoughtful person, in social ritual and mundane interaction, a stay against the inhuman, against the brutality that ensues in the absence of the quotidian ideals and restraints.

Now Philip Roth engages this possibility. In his new novel, he examines decency, as it is embodied in a goodhearted man whose life seems for a while "*most simple and most ordinary and therefore just great.*" No reader will be surprised to find that such a life turns out to be neither simple nor just great. No one will wonder at Roth's ability to show what can become of "ordinary" when an orderly life takes an unexpected turn, or the repressed rears its head, or the good and measured life seems suddenly tedious and intolerable. Roth has for a long time, through many books, developed a powerful and unanswerable subversion of the rock-solid assurances around which many people attempt to organize their lives. He has taught his readers to hold their noses when confronted by pious reflections on "the human condition." An expert in apostasy and distortion, he has made of his own occasional attraction to moralizing rhetoric an opportunity for savage contradictoriness and wit. His present interest in the ordinary and the virtuous is new in the sense that they now hold him, tempt him, transfixed and bewildered, in a degree not generally discernible in his earlier fiction.

The ordinary man in *American Pastoral* is an assimilated Jew with an unlikely "steep-jawed, insentient Viking mask" and the youthful attributes of a demigod. The young Seymour "Swede" Levov is a star athlete worshiped by everyone in his neighborhood in Newark, a large "household Apollo" of an adolescent who goes on from schoolboy fame to marry a Catholic beauty queen, inherit a thriving business, and move his family to a prosperous farm in rural New Jersey. The Swede is ordinary only in the sense that he shapes his life to the measure of the American dream, aspiring to no more and no less than his share of perfection, which is to say, an existence largely without misgiving or menace.

There is nothing ordinary, of course, about the superb physical grace, or the country estate, or the ravishingly beautiful wife, or indeed the temperament of a man who can seem both mild and confident, resourceful and contained. But Roth is most taken with his character's desire to be ordinary, at ease in his place, without great ambition, without any desire to tear through appearances or to rage against his own limitations. He draws a character who, for all of his success, may be easily condescended to as well-meaning, naïve, blandly idealistic, without force—an average man, disappointing, pleasant, natural, displaying no capacity for irony or wit. Surely such a person—some will feel—deserves whatever can happen to him.

The Nathan Zuckerman who narrates *American Pastoral*, for whom Seymour Levov is an ostensibly remembered person and a character whose life needs to be imagined, is sorely tempted by the prospect of blasting such a life, stripping away every vestige of attractiveness from the character in all of his impeccable generosity and high-mindedness. An early reviewer of Roth's novel describes Seymour as a puppet, "mounted precisely for the purpose of being ripped," a figure who exists "to be punished": for his idealism, his grace and his credulous embrace of the good life. Not exactly. Zuckerman is more than a little bit in love with this fellow. Recently recovered from prostate surgery, impotent and in every way more subdued and more thoughtful than we remember him in previous Roth novels, Zuckerman wonders at the Swede the way one wonders at something moving and peculiar, something that defies explanation.

Still, explanations are advanced. Seymour's brother Jerry, a cardiac surgeon in Miami, has no trouble summing him up as the man with "a false image of everything," a man committed to tolerance and decorum, to "appearances" and the pathetic desire "to belong like everybody else to the United States of America." But this diatribe, it is clear, doesn't begin to explain Seymour, and the more he is assaulted by explanations and denunciations, and hears himself maligned and diminished, the more securely he remains a wonder, a man astonished to the end at the continuously unfolding spectacle "of wantonness and betrayal and deception, of treachery and disunity" and "cruelty." Zuckerman wants, like the others, to have done with the crummy goodness of this common man,

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to dismiss him as a man unable "to understand anyone," a man without a shit detector, a fraud. But he remains transfixed, somehow admiring and exasperated. Against his better judgment, he makes the man so much more appealing than anyone else he can invent.

Not until very late in the novel does Swede Levov understand what Roth insists that he grasp. "He'd had it backwards. He had thought most of it was order and only a little of it was disorder." But reality is otherwise. Nothing follows clearly from anything else. Where once there was thought to be cause there is now only chance. A secure home environment can bring forth anything at all. A person blessed with every good fortune may despise her life as surely as a person blasted by fate may remain an optimist. A man with a beautiful wife may be attracted for no apparent reason to a mousy woman deficient in every quality. Those who don't know these things may be virtuous in one degree or another, but they will not know what life is. That is what Zuckerman would have us accept. That is what Roth would seem also to support. But Seymour's capacity to arrive at this knowledge in his own way, his capacity for reluctance and suffering, is a part of what makes him a man we can admire.

But *American Pastoral* is more than an examination of virtue, more than an attack on the delusoriness of liberal good intentions. Roth means it also to be a portrait of America. It moves gracefully from one quintessential American setting to another, from factory floor to rolling hills, from beauty pageant to high-school reunion. Conversations turn on standard American themes, from assimilation to athleticism, from business ethics to sexual fidelity. Characters correspond to familiar American types, including WASP gentry, old-style Jewish liberals, and therapeutic intellectuals armed with fashionably advanced views. Historical markers—the Second World War, Vietnam, Joseph McCarthy, race riots, Weathermen, and so on—routinely identify the public landscape within which Americans of the pertinent generations move. The novel is eloquent in its evocation of vanished American neighborhoods such as Jewish Newark, and it allows characters to be sweetly or fiercely defensive about "what this country's all about."

The story line takes many turns, but in essence it is a fairly simple narrative. Zuckerman remembers the Swede, meets up with him late in life, learns what he can about him, and constructs a narrative of the Swede's life that occupies most of the novel. Seymour is the son of Lou, a prosperous glove manufacturer who looms large in his son's life until his death at the age of 96. Seymour tries to live the good life in an expensive WASP suburb, but he has to contend with a teenage daughter who develops from elfin companion to tormented stutterer, from antiwar protester to underground terrorist and bomb-throwing killer of innocent civilians.

Merry Levov remains, throughout the novel, a source of enormous agitation and distress for both of her parents. Seymour thinks about her incessantly, rehearsing various episodes in her life and reliving in his imagination all that she does and suffers. He recalls their acrimonious debates and her withering New Left invective. Most especially, he thinks about her setting off a bomb at a local post office and thereby killing an elderly man. He is contacted by a young companion of his daughter, who grotesquely exposes herself to him and offers to lead him to Merry if he will sleep with her. When he learns that Merry has been raped by someone in the terrorist underground, he cannot drive the fact from his mind, he seems almost mad with grieving and pity for his savage little lost girl. Though there are numerous opportunities for the novel to move in for a closer look at the terrorist operation, Roth is satisfied to focus on Merry and her revolting companion, emblems of the ravening ferocity of their kind.

In Merry's final incarnation, she is a fanatic of non-violence, a Jain who wears a mask over her face to avoid doing damage to delicate micro-organisms in the air. Her father cannot bring himself to turn her in when he has the chance, and he torments himself about what has happened to her, about his responsibility for having produced a monster. Though he cannot abandon his attachment to America and all that it has represented to him, he is sorely tried in his relations with his wife, his brother, and his father—particularly his father, a powerful man who periodically erupts in outbursts of colorful invective against degradation and indecency.

The dust jacket of Roth's novel promises a work that will take us back "to the conflicts and violent transitions of the 1960s." It invokes, in Roth's language, "the indigenous American berserk," "the sweep of history," "the forces of social disorder." It describes, in short, a novel with large ambitions. The narrow virtues celebrated by earlier American Jewish writers were often played out in settings so circumscribed that one could feel the pressure to forget the world and to refine the perspective to a metaphysical essence. But Roth's novel is absorbed in worldly

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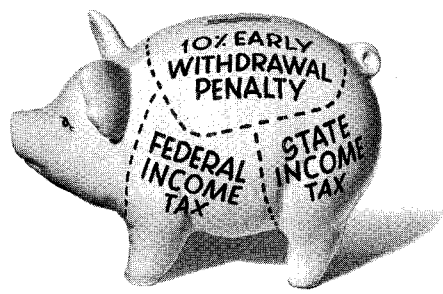

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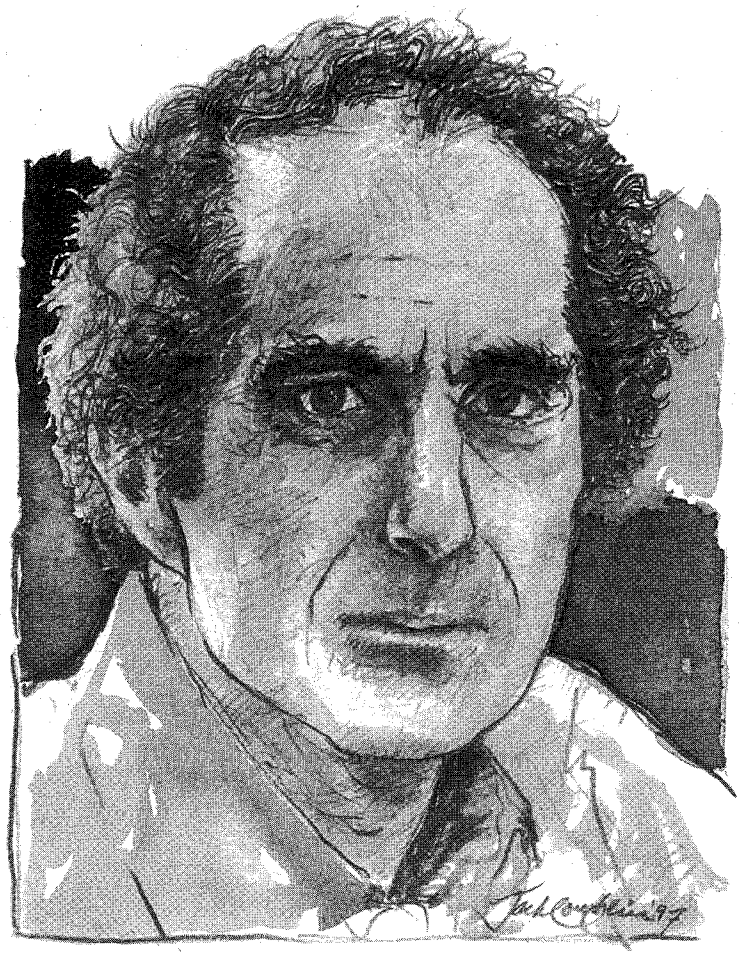
matters, in history. He wants to know how things happen, how places and events leave their mark on people.

There are instances, here and there, of the profligate extravagance that consumes so much of our attention in novels like *Sabbath's Theater* and *Operation Shylock*, with their verbal energy and their compulsive recourse to every variant of shtick and artifice. But *American Pastoral* strives mightily to situate its characters in a more classical manner, to insist that their passions are shaped, constrained, and exacerbated by circumstance. It worries about probability and verisimilitude, and it asks, again and again, how this can be and how that can be when reality so manifestly declares what is and what is not allowable. Questions of virtue and responsibility are complicated in this novel by what Henry James called the "swarming facts." It is not simply that nothing Roth imagines quite adds up; it is that he does not expect the facts to add up, that he supposes reality to lie in their multiplicity, their thickness of texture, their bewildering resistance to dreams of order.

So what is Philip Roth's America? It is a place where some people work and build and thrive while others fail and destroy and suffer. It is a place where everyone is increasingly aware of vast differences in wealth, and where those who feel guilty about their own successes are increasingly made to feel foolish and irrelevant. It is a place in which radical ideas about fundamental change are held almost exclusively by lunatics and by intellectuals so divorced from fellow-feeling that they can only laugh at deterioration and disaster, "enjoying enormously the assailability, the frailty, the enfeeblement of supposedly robust things."

There is a side of Roth that likewise revels in the tendency of things to fall apart and to expose the illusoriness of order and optimism. But he is also susceptible to fellow-feeling. Roth appreciates, however reluctantly, the satisfactions that are sometimes generated by those who believe literally in the American dream. When Seymour Levov mourns the Newark destroyed by riots and decay, the Newark "entombed there," its "pyramids ... huge and dark and hideously impermeable as a great dynasty's burial edifice has every historical right to be," Roth invests with weight and dignity the sense of loss for things hard-won and precious. His America, after all, is the place where immigrants not only make fortunes as a result of often despised virtues such as hard work and persistence, but in which those same immigrants often bring forth children endowed with vision and compassion.

It is possible, of course, to suppose that what Roth calls "the indigenous American berserk" has more to tell us about the country than the stories of immigrant success and the building of viable political institutions. Or at least it may tell us what Roth himself regards as fundamental to the American spirit: a propensity to violence, conspiracy, and irrationality. This propensity is not at all times and places obvious. Americans are adept at convincing themselves that it is a limited propensity, that it belongs to lunatic fringes that cannot in the long term threaten our collective commitment to reasonableness and tolerance. Yet Roth seems to believe that violence and irrationality are never very far from the surface of American life, that we deny it at our peril, and that our optimism is purchased in the way the individual purchases tranquillity, through repression and willful blindness. The daughter of Seymour Levov is not simply a lunatic. She is to be understood, insofar as we may presume to understand her, as an important expression of our collective unconscious. If this is not easy to accept, any more than we would find it easy to accept, say, that the Bader Meinhof gang in Germany or the Red Brigades in Italy expressed the deeper selves of the societies they terrorized, well, as the novelist would seem to say, there it is.



PHILIP ROTH BY JACK COUGHLIN FOR THE NEW REPUBLIC

Merry Levov is Roth's exemplification of our impatience with limits, our hatred of the gradualism and the decorum that we profess to prize. As an adolescent growing up in the first days of the Vietnam War, she finds her opinions confirmed by her parents and her grandfather, but she grows impatient with their support. Like other young people involved in antiwar activities in the '60s, she finds a way to turn the epithet "extreme" against her own family, as in: "No, I think extreme is to continue on with life as usual when this kind of craziness is going on ... as if nothing is happening." Those who are opposed to America's involvement in Vietnam must bear witness—so she insists—by turning against their own comfortable lives, if necessary by throwing bombs. Just so, those who profess concern for black people going to pieces in urban ghettos must refuse to persist in business as usual, must refuse to insist upon profits, even if their refusal should cause their factories to fail and jobs to disappear. The worst is not to be feared if it may be a prelude to drastic change. The American berserk, as embodied in the figure of Merry Levov, is associated with ideas that were pervasive in the '60s, and it is in part the burden of *American Pastoral* to suggest that these views really do express an important feature of American life.

The strangest thing about all of this is that Merry Levov never emerges in this novel as anything but a pathetic figure.

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As a child she is appropriately lovable and childish, but she rapidly grows into a fearful thing, twisted and angry, a caricature of herself. She becomes a type. She is, in fact, precisely the type pilloried by those critics for whom opposition to the Vietnam War and participation in the civil rights movement were mainly psychological expressions, the work of rebellious adolescents acting out their mostly impotent rage against authority. This tendency to reduce the movements of the '60s to an undifferentiated cartoon of adolescent rebellion is given new life in Roth's novel. By contrast, writers such as James, Conrad and Vargas Llosa, in their novels of politics and society, mounted a savage attack on bomb-throwers and ideologues while permitting them their misguided idealism and a sometimes adult grasp of power and injustice. To place Vargas Llosa's wild-eyed Alejandro Mayta alongside Merry Levov is to appreciate at once the dignified passion for radical renovation that the Peruvian novelist permits his character and the utter puerility and one-dimensionality of the American novelist's radical figures.

That Merry Levov is depicted as something of a lunatic is not especially objectionable, for it is surely true that there were lunatics and obsessives in the radical movements of the '60s. But she and her more luridly drawn companion are, in Roth's novel, the primary exponents of oppositionist and critical views. The conditions that aroused so many mature adults to participate in the antiwar and civil rights movements are barely mentioned in a book committed to examining the period. For *American Pastoral*, recent American radicalism is to be associated with irrationality and the unconscious. In fact, it was both more dangerous and less dangerous than that. There is no effort in Roth's novel to link it to the genuine tradition of American radicalism that goes back at least to Emerson and Thoreau and, in this century, to Randolph Bourne, Paul Goodman and Bayard Rustin. Merry Levov and her companions in extremism are all we need to know, apparently, when we come to consider what blasted the social order.

The failure of Roth's novel, in this respect, is quite considerable, however unmistakably particular passages are the work of a master. If there is such a thing as the indigenous American berserk, then surely it must entail a good deal more than a lunatic fringe largely limited to deranged adolescents acting out fantasies of retributive violence. And if these adolescents, who usually grow up into pinstripes, tweeds and cappuccino bars, can be so readily dismissed and condescended to by their elders, including Nathan Zuckerman, then how can they be said to represent an enduring and significant feature of American life, a tendency to which even the best of us are regularly susceptible? This novel wants to have it both ways. It wishes to develop an apocalyptic vision of the real America, the underside of our characteristic optimism and bland goodwill, but it wants also to propose that what we refuse to acknowledge in our pusillanimous American selves is pathetic, adolescent, laughable, and decidedly marginal, however terrible the occasional consequences associated with this "other," truer reality.

Consider Roth's presentation of the facts involved in the destruction of Newark. The dominant perspective belongs, more or less equally, to Zuckerman, to the Swede, and to his father. According to them, there was once a "country-that-used-to-be, when everyone knew his role and took the rules dead seriously, the acculturating back-and-forth that all of us here grew up with." Of course there were conflicts in that once-upon-a-time land, but they were usually manageable, they conformed to something about which you could make some sense. And Newark was very much a part of the "country-that-used-to-be," a place where pastoral visions may not always have been easy to come by, but where "the desperation of the counterpastoral" was also not much in evidence.

In Roth's reasonable Newark of Jewish and other immigrants, there are factories and businesses that produce well-made goods and turn reasonable profits. They employ people "who know what they're doing," who are pleased to do good work and more or less content with what they are paid. At least they do not complain. They are loyal to their employers, and they may well remember gratefully how things have changed for the better since the bad old times 100 years earlier when factories were places "where people ... lost fingers and arms and got their feet crushed and their faces scalded, where children once labored in the heat and the cold...." The factory owners are also apt to have a vivid sense of their own origins, to remember working "day and night" and living in intimate contact with working people at all levels of manufacturing and selling. Their stubborn celebration of everything American has much to do with how well things can go when people believe in the system and rely on each other.

Given this account of reality, it is no wonder that the eruption of civil strife in

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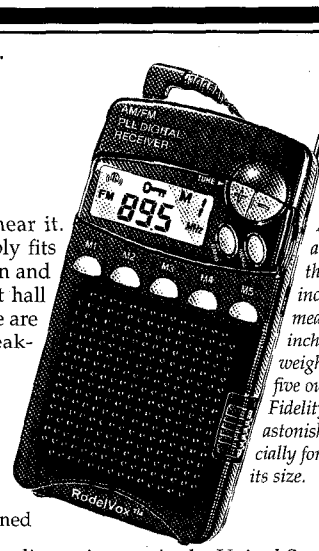

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"Departure"

(from Max Beckmann and Guido Guinizelli)

"I can only speak to people who—"

Unspeaking, unspoken, the full-breasted woman
tied to a dead man upside down

stands center stage with a lamp in her hand,
sheds kerosene glow on the marching band.

That's Cupid, the dark dwarf who tightens her rope;
this is art, this is love, that's the classical shape

of proscenium arch. This is Germany, May '32.
—"can only speak to people who

already carry, consciously or unconsciously, within them—"

You want to buy that center panel, Lilly, but
you can't have that alone

There will always be, on one side, a man bound to a column
with both hands chopped off; there will always be
a still life with hand grenade grapes and a woman kneeling
before an executioner who swings a bag of iron fish

Love always shelters in the gentle heart

And you will always—won't you?—find yourself groping
in a dark stairwell ill-lit by that feeble, dangerous lamp
while you drag along, strapped to you, the corpse of all
your errors,
and the drum throbs and shudders like a titanic heart

Love's fire is kindled in the gentle heart
as light kindles in a precious gem

And there's another romance, in which the woman
and man are strapped to each other alive, but head to feet,
on a giant fish
and each holds in hand the ritual mask of the other
as they hurtle downwards towards a brilliant, engulfing ocean

as the star beam strikes the water
but the sky keeps the star and all its fire

which is generally known as love. No, you can't
buy the central panel alone, with the king and queen
joyous and powerful in their open boat, the baby
bespeaking freedom
and the net full of fish flashing in blessed abundance

—"who already carry, consciously or unconsciously, within them
a similar metaphysical code."

because the oarsman is blindfolded
because the crowned fisherman has his back to us
because that open boat
has not set sail
from our shores
nor will it, while we are alive.

ROSANNA WARREN

the '60s should seem so incredible not only to the Levovs but, apparently, also to Zuckerman. The nostalgia for the "country-that-used-to-be" is so palpable in this novel that it virtually immobilizes the imagination of reality and leaves the reader susceptible to a rhetoric for which the deteriorating urban landscape is a "shadow world of hell" and predatory blacks roaming the Newark streets are part of a "surreal vision." Once, not long ago, according to this narrative, everybody had it good, or good enough. But many Americans suddenly went unaccountably crazy, and what "everyone craves" came to pass, "a wanton free-for-all" in which what was released felt "redemptive, ... purifying, ... spiritual and revolutionary." However "gruesome" and "monstrous" what followed, something real happened in Newark, something irresistible and deeply implicated in the American grain.

So we are to believe. Though the Levovs watched with horror, and deplored, and most other Americans presumably recoiled as well, we are asked to accept that somehow "America" spoke its deep, revealing truths in the intoxication of riot and mayhem. We are also asked to accept, as befits this pattern, that those who set the cities on fire, who beat on "bongo drums" while their neighbors looted and sniped and left behind a "smoldering rubble," were actually in flight from the good life. We are to accept—so the logic of the novel dictates—that the blacks of the inner city must have been incomprehensibly dissatisfied with their wonderful jobs and turned on by the prospect of liberating something vital and long buried in their otherwise admirable lives.

The problem is, Roth's book offers us no way to think about such a view of things. Its elegy for the dead city and its old ways is affecting, but it is also disconnected from anything like a serious account of what the old ways actually entailed, and what were the varied motives and desires of the inner-city residents who were caught up in the destruction of their own communities. To read Roth on the Newark riots is to suppose that just about everyone participated in the looting and the carnage, and that no one can have had good, concrete reasons for loathing the conditions in which they lived. To understand the '60s is, again, to invoke individual and group psychology, to refer to something deep and peculiarly American, to deplore what happened while at the same time suggesting that it had to happen and cannot be accounted for by citing social, political or economic factors.

Roth's novel is finally not an adequate

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study of social disorder. It does not tell us what we need to know about America, what a novel can tell us about the complex attitudes and allegiances of a time and a place. It laments the denial of reality on the part of middle-class suburbanites such as Seymour Levov, while offering as the alternative to illusion "surreal" and "grotesque" eruptions such as few Americans are likely to encounter. It sets up as representative figures of disorder and "reality" persons who are mad, and whose attachment to disorder is so pathological that they make it impossible for us to consider seriously the actual sources of discontent in American society. When violence breaks out in this novel, it seems more like an inexplicable convulsion than an expression of feelings shaped by complicated individuals responding to the actual conditions of their lives.

And yet Roth's interest in an idea of simple virtue is an impressive achievement. For if the world, as he understands it, is a place of chaos and contradiction, in which order is fragile or even illusory, then virtue, too, may seem like a figment of someone's wishful thinking, a willed fantasy with nothing to sustain it. But Roth finally suggests that it is not. Like the rest of us, he wonders what virtue can be worth when it is rarely effectual in worldly terms. And he refuses to allow goodness to sweeten anything, to distract him from what we are and what we do. Yet his triumph in *American Pastoral* is the portrayal of persons who are unmistakably good and genuine. They understand no better than he does what to make of events that astonish and assault them, but they do not give up on their sense of how to behave.

Seymour Levov is no paragon of perfect virtue, and his father can seem shrill and forbidding in his vehemences. But these are men who continue to display thoughtfulness, however much reason they have to be disappointed and to flee in bitterness from the decencies that make them seem irrelevant to their contemporaries. The father may have absurd ideas about how to deal with disorder—"I say lock [the kids] in their rooms"—but he is strangely appealing in his insistence that "degrading things should not be taken in their stride." That is right. And the son, who suffers greatly, who does not know enough, who takes "to be good" everyone "who flashed the signs of goodness," retains in Roth's hands the capacity to be appalled—not thrilled, but appalled—by transgression, to be tormented by the spectacle of needless suffering, and to think, ever to think, about "justification" and "what he should do and ... what he shouldn't do." His humanity is intact. And it is, Roth seems to be saying, the only thing we can rely on.

ROBERT BOYERS is Tisch Professor of Arts and Letters at Skidmore College and the editor of *Salmagundi*.

TRB *continued from page 6*

nia voters—including the 40 percent of black voters—who supported Prop 209: "the vast majority of them simply did it with a conviction that discrimination and isolation are no longer barriers to achievement." Thus, confronted with evidence of an emerging biracial consensus against the relentlessly divisive policies of race-preferential treatment, the president's impulse is to ignore the reality that vast numbers of white *and* black Californians supported Prop 209 because they think affirmative action programs are morally wrong and practically disastrous, and to suggest instead that the "vast majority" of those who voted thus were whites too blind to admit that racism still exists.

Clinton's second line of argument was equally disingenuous. Consider the results of Prop 209, he said. "Minority enrollments in law school and other graduate programs are plummeting for the first time in decades." Actually, the results are more mixed. But let's take the president's argument as true. Clinton says the decline in minority enrollees since Prop 209 in California's schools is directly due to the ending of preferential treatment for minority applicants. What does that tell us? Is the president saying that, freed by the new law, white racist college administrators are refusing minority applicants who are as qualified as whites, or better qualified? No. He is saying that minority applicants who could have gained admission if they were given preferential treatment are being turned away, or are turning themselves away, because they cannot compete on an equal footing with whites. He is saying blacks cannot make it unless the contest is rigged.

In the most patronizing and pernicious lines in his speech, the president elaborated on this idea: "There are those who argue that scores on standardized tests should be the sole measure of qualification for admission to colleges and universities. But many would not apply the same standard to the children of alumni or those with athletic ability. I believe a student body that reflects the excellence and the diversity of the people we will live and work with has independent educational value." Leaving aside the falsehood in its premise—no one says standardized test scores should be the *sole* criterion of admission, but, rather, that skin color should not be the decisive criterion—what Clinton is really suggesting is this: we all think that it is better for us all that our schools are racially diverse, but we know that many blacks just aren't going to make it unless we judge them by a lower standard than whites since they just aren't smart enough. *That* is the false and ugly premise of the policies the president demands we maintain. This, healing?

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CAMBRIDGE DIARIST

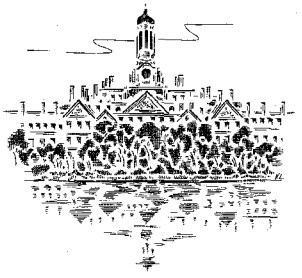
Off the map

IN HIS JUNE 13 *WASHINGTON POST* column, Charles Krauthammer points out that—for all their obsessive coverage of Israel—the major American news media have ignored what may be the most important political development out of Jerusalem in years. This is Benjamin Netanyahu's decision, reported a few weeks ago in the Israeli daily *Ha'aretz*, to pursue a "final settlement" that would hand over much of the West Bank to a Palestinian state. This is a transformatory abandonment of ideological principles by the Israeli right. It could set a new, and promising, framework for future negotiations—if people in American government and media take it seriously. How strange then that American editors—who recently devoted space to a story about interest among Israel's ultra-Orthodox in the messianic significance of a red heifer—have largely passed on the story.

MY FRIEND TOM FRIEDMAN, OPINing in *The New York Times*, answered Krauthammer's complaint, and agreed, in part. "A huge tree fell in the forest of Israel the other day, and nobody heard it," Tom wrote of the reception accorded to Netanyahu's plan. But Tom's reason for the odd silence is the usual reason—it is Netanyahu's fault: "the main reason Mr. Netanyahu's map was spurned by the Arabs was that it was totally unconnected to what he's doing on the ground." I see a different reason: I think the main reason Netanyahu's map was spurned by the Arabs is that the Arabs know they can count on attitudes like Tom's to prevail in the American press. They can count on a press that deeply dislikes Netanyahu to dismiss even a substantive proposal from him as cynical posturing.

NETANYAHU'S PLAN HAS A HISTORY, and it goes back nearly thirty years to the days when an idealistic Labor kibbutznik named Yigal Allon served as foreign minister in the government of Golda Meir. The Allon Plan, as it was called, was never an official Israeli proposal. But it has lurked as a potential compromise since shortly after the Six-Day War. For most of the 1960s and 1970s, however, the Arab states would not allow the Palestinians to consider such a deal. And by 1979, the year in which Anwar Sadat essentially took Egypt out of the Arab-Israeli conflict, the Palestinians were so intoxicated by their own irredentist delusions that reciprocal concessions were simply not possible. In his goofiness, Jimmy Carter simultaneously reinforced these Palestinian fantasies and provoked ever-present Jewish paranoias. This recipe for stalemate replayed itself when the chronic antagonism of George Bush and James Baker toward Israel seemed to promise Yasir Arafat that, if he trusted Washington, he'd one day get all the territories and half of Jerusalem under his thumb.

LIKELY, THIS IS STILL WHAT ARAFAT and his corrupt and brutal Palestinian Authority expect. But the Clinton administration knows better. In a certain sense, then, the U.S. government's sympathy for Israel's security has permitted the revival of the Allon Plan. Now, as when it was first broached, it is a realistic compromise; responsive both to Palestinian political aspirations and to the Jewish state's defense requirements in a volatile part of the world.



IT IS TRUE THAT NETANYAHU'S version of the Allon Plan envisions keeping more of the territories for Israel than did the 1968 blueprint. Netanyahu himself calls his map "Allon Plus," and the plus is that, while Allon would have attached about a third of the West Bank to Israel, Netanyahu wants half. But this is before negotiations on these terms have begun. There is doubtless some give in Netanyahu's position. What's more, the difference represents land that is virtually without Arab inhabitants—historically unsettled, agriculturally unviable, desolate. Most of it is a lunar landscape, a desert over which Israel wishes to ensure no Arab tanks will ever cross.

BUT THE DRAFT IS NOT ONLY NETanyahu's. In outline and in many details, it accords with the views of the Labor Party's mainstream. Ehud Barak, the former chief of staff under Shimon Peres who has just been elected party leader, has for years envisioned a settlement not unlike the one favored by the prime minister he is fated to oppose in the next election. In Zionist politics, I am a Labor man, and I suspect that Barak's articulation of the Allon Plan would be softer, easier for the Palestinians to look at, and easier, too, for American commentators to praise. But this is a matter more of style than substance, an objection to the Allon Plan because, in essence, it is now the Netanyahu plan. But Allon is dead, and it is Netanyahu's decisions that shape the peace process now. In this context, the context of substance, Netanyahu's move is extraordinary. It is a remarkable thing when a man of Netanyahu's politics embraces a Labor plan to trade land for peace. It means the abandonment of the right's fundamental position; it means great progress and even great promise. This is the ground shifting.

AND THIS IS GOOD FOR ISRAEL. Whatever the fault lines in that society, there is an increasing confluence on the seminal issue of borders, and a confluence across otherwise rancorous lines. To be sure, there will be political defections from Netanyahu's right, the people who believe that their biblical vision of ultimate Jewish destiny is a warrant to overlook the needs of a Palestinian polity. And there will be defections from Barak's left, people convinced that simply giving in to the demands of enemies makes them friends. And there is another reason to hope for a new coalition of the center, which could bring "Allon Plus" to fruition: the threats by the ultra-Orthodox to abandon Netanyahu's government over the issue of Reform and Conservative conversions to Judaism. These defections from the extremes will leave an enormous political center on whose reasonableness a new offer to the Palestinians could be based.

SAD TO SAY, THE EARLY INDICAtions are that, instead of being encouraged by Netanyahu's painful concessions to make reciprocal concessions of their own, the Palestinians remain fixated on imaginary maps that can never be. The harsh truth is that what Netanyahu will soon propose is likely to be Israel's final offer. It can be negotiated here and there, a kilometer more given up, a particular piece of land exchanged, in some places sovereignty forfeited for actual control. But it is the only realistic endgame. If the Palestinians fail to seize this opportunity for statehood, this chance for a country of their own, it will be a tragedy for them. But it will not be a surprise. In this conflict's 100 years, as Abba Eban famously pointed out, the Palestinians have rarely "missed an opportunity to miss an opportunity." Fifty years ago this coming November, the Palestinians rejected the United Nations Partition Plan and, with their Arab cousins, went to war against the Jews. First in 1948, then in 1956, in 1967 and again in 1973. Will the Palestinians now reject all that is left of the idea of partition? Who will wager not?

MARTIN PERETZ

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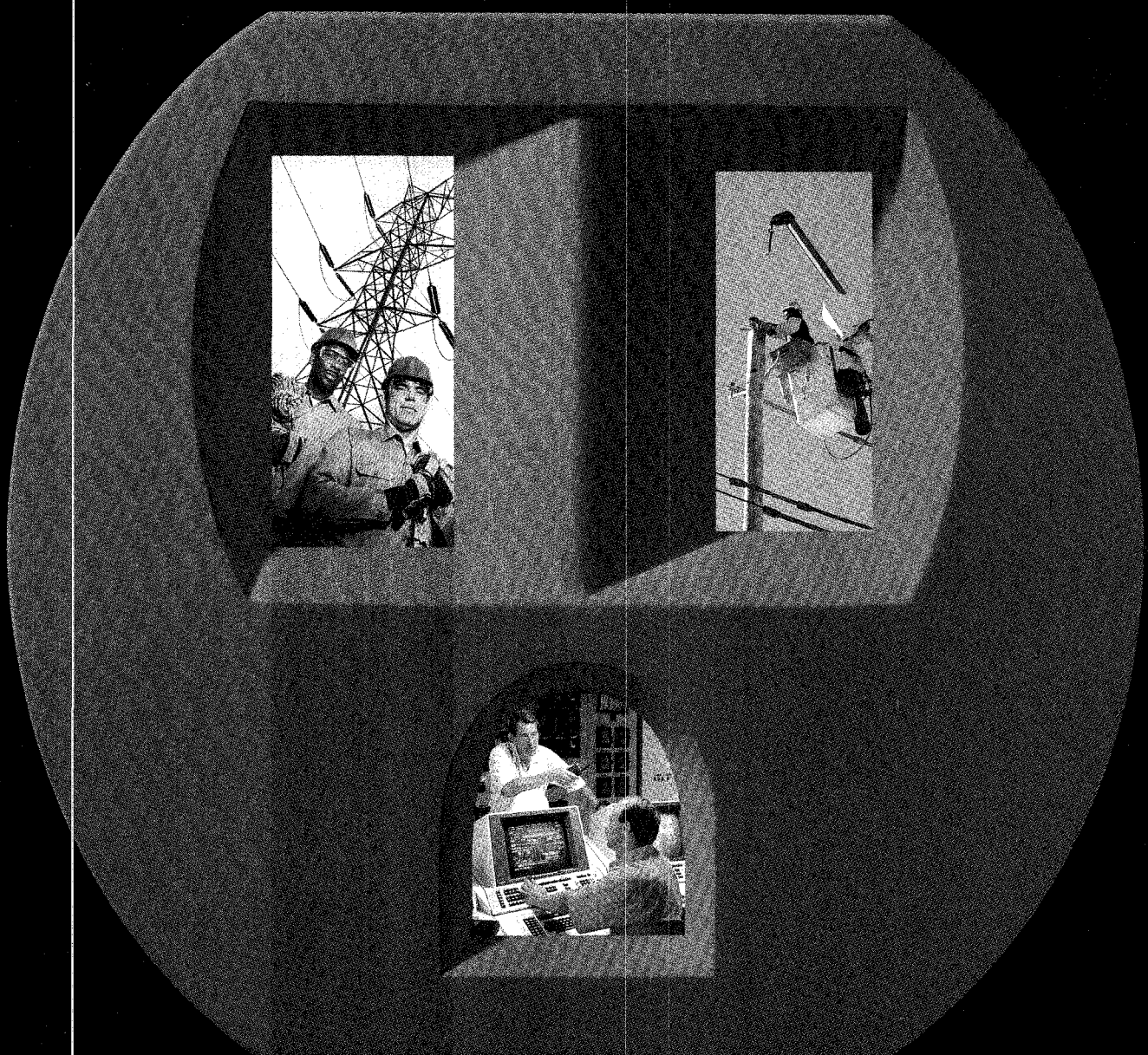

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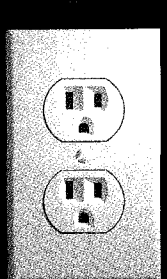

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